

REPORT  
OF THE  
DEPARTMENT OF LABOUR

FOR THE  
FISCAL YEAR ENDED MARCH 31, 1909

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OTTAWA

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EXCELLENT MAJESTY.

1909

[No. 36—1910]







*To His Excellency the Right Honourable Sir Albert Henry George, Earl Grey,  
G.C.M.G., &c., Governor-General of Canada.*

MAY IT PLEASE YOUR EXCELLENCY :

The undersigned has the honour to forward to Your Excellency the accompanying Report of the Deputy Minister on the work of the Department of Labour of the Dominion of Canada, for the fiscal year ended March 31, 1909, all of which is respectfully submitted.

W. L. MACKENZIE KING,

*Minister of Labour.*







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REPORT  
OF THE  
DEPUTY MINISTER OF LABOUR  
FOR THE  
FISCAL YEAR ENDED MARCH 31,  
1909

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DEPARTMENT OF LABOUR,

OTTAWA, July 14, 1909.

To the Honourable W. L. MACKENZIE KING, M.P., C.M.G.

Minister of Labour.

SIR,

I have the honour to submit a report on the work of the Department of Labour for the fiscal year ended March 31, 1908.

It is satisfactory to be able to record that the Department continued during the year to develop actively along the lines laid down in former years.

The marked features of the year's work were the continued active operation of the Industrial Disputes Investigation Act, enacted, it will be remembered, on March 22, 1907; and the continuance of enquiries and missions arising directly or indirectly out of the question of Oriental immigration and the anti-Oriental outbreak at Vancouver, B.C., in September, 1907. The incident of the year which perhaps most intimately concerned the Department was the retirement of Mr. W. L. Mackenzie King, C.M.G., from the Deputy Ministership, a position which Mr. King had occupied from its inception.

The Department continued during the year to receive numerous and gratifying evidences of the recognition its work is receiving throughout the Dominion. From many Departments in foreign countries entrusted with kindred duties also it has received requests for information as to methods of procedure, and copies of the laws and regulations entrusted to its administration, and has been many times assured that the Department of Labour of Canada stands high in the estimation of the outside world as a leading factor in the great work of social reform in which all progressive countries are to-day more or less actively engaged.



The growing influence of the *Labour Gazette*, too, the circulation of which to-day is higher than at any preceding date, nearly 14,000 copies having been distributed during the closing month of the fiscal year, apart from several hundred additional copies laid aside for subsequent distribution, is a further and most gratifying evidence of the increasing appreciation of the Department by the public and of the deepening interest in industrial questions manifested by important sections of the community. It may be added that the *Labour Gazette* is not circulated exclusively to any one class, but on the contrary includes among its readers on the one hand the most thoughtful representatives of the working classes and on the other hand the most progressive workers of the world of finance and commerce, as well as of the great majority of serious and active economic thinkers and workers. Several hundred subscriptions were received, for instance, during the year from the bankers of Canada, who had suddenly awakened to the value of the contents of the publication to those of their profession whose duties required them to follow the economic and industrial movements of the day. It may be added that the Dominion is undoubtedly more freely represented by the *Labour Gazette* in official and public offices and in institutions of learning in foreign lands than by any other Canadian journal. The importance therefore of placing the publication on a level where it may worthily represent Canada and place before the world a faithful and intelligent record of its industrial and economical progress from month to month cannot be too highly estimated.

#### ECONOMIC AND INDUSTRIAL CONDITIONS DURING THE YEAR.

The fiscal year 1908-09 continued to show in a diminishing degree the ill effects of the period of commercial depression which set in during the late summer months of 1907, beginning with a sharp financial stringency in the United States, which modified in a marked manner conditions in the Dominion. The changed economic situation, brought suddenly about in the latter half of 1907, caused the Government, it will be remembered, to take steps to eliminate the poorer class of immigration, which was done by requiring that each immigrant should on reaching Canada possess \$50 or \$25 in cash, according to the season of the year. This regulation was continued throughout the past fiscal year with the result that the poorer immigrants from Europe became greatly fewer in number; the number of immigrants from the United States meantime practically held its own, the home-seekers from that country being usually of a type not affected by the regulations mentioned. The actual figures of the immigration for the two years showed 262,469 arrivals for the fiscal period 1907-8 as against 115,561 for the fiscal period 1908-9. It may be added that the closing month of the last fiscal year, March, 1909, the first month as a rule to yield any considerable immigration returns, showed a considerable increase in the number of immigrants from the United States, the figures being respectively, for March, 1908, 6,162, and for March, 1909, 9,182.

At the date of writing there is every reason to believe that the immigration for the coming year will considerably exceed that for the fiscal year 1908-9. The excellent crop of 1908, the monetary return for which was placed at \$432,500,000,



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an unprecedentedly high total, assisted greatly in re-establishing Canada on a sound and healthy basis, though still hardly enabling it to attain to the high level of 1906 and 1907. An increased acreage in the West, and the continuance of projects of railway construction on an extensive scale give, at the present time, the best of prospects for the coming year.

Wages showed no great fluctuations during the year, but there was a tendency to fall in some industries, notably in inexperienced labour, lumbering and certain manufactures, particularly textile workers. There was more than the average amount of unemployment during the winter months. The cost of living remained about stationary, which is perhaps a satisfactory fact on the whole to record, the increase year by year previously since the beginning of the century having been very marked.

## INDUSTRIAL DISPUTES.

The number of industrial disputes resulting in strikes or lockouts during the fiscal year 1908-9 was greatly less than during the preceding year, and smaller than for any period during which a record has been kept. Owing, however, to this diminished total including two strikes of unusually large dimensions and extending over a somewhat unusual period of time, the number of days' work lost on account of strikes was larger than for several years. The two strikes in question were those respectively of the machinists and carmen of the Canadian Pacific Railway and of the cotton mill hands in the province of Quebec. The first of these was the result of a change of schedule on the part of the management of the Canadian Pacific Railway with relation to the classes of employees concerned. The dispute was referred for investigation before a Board of Conciliation and Investigation established under the Industrial Disputes Investigation Act, 1907, as the provisions of that statute require, and the parties concerned not being in this way brought to an agreement, it was found impossible to avert the threatened strike. The strike, which extended throughout the length and breadth of Canada, lasted from August 1 to October 5, when it was formally settled by the acceptance of the terms recommended by the Board. The struggle caused some degree of inconvenience, but the public was perhaps agitated by alarm at what might and doubtless would have happened had the strike continued yet longer rather than by any injuries which were actually sustained.

The number of men concerned was estimated at about 8,000 and it is satisfactory to be able to state that although many of the strikers were undoubtedly reduced to a condition of considerable distress, there was at no time during the existence of the strike, so far as came to the knowledge of the Department, any incident approaching a disturbance of the public peace, or in fact anything other than a strict observance of the spirit of the law so far as it bore on the situation.

The other serious strike during the year concerned, as stated, the employees of the great cotton manufacturing companies of the province of Quebec, and again affected several thousand employees, occurring during the months of May and June. The frequent interruptions, extending over several years, to this industry on account of differences between employers and employees, suggested an unusual strain in the conditions of employment, and the Dominion Govern-



ment in the month of June appointed Mr. W. L. Mackenzie King, C.M.G., then Deputy Minister of Labour, a Royal Commissioner to enquire into the conditions under which the industry was carried on with special references to the causes of the frequent disputes. The Deputy Minister conducted an inquiry under this commission and a report of the same was duly presented to Parliament, an abstract of the report being contained in the present volume.

#### ADMINISTRATION OF THE INDUSTRIAL DISPUTES INVESTIGATION ACT.

The administration of the Industrial Disputes Act during the year was, as stated above, one of the marked features of the year's work. This subject will be fully discussed elsewhere and it need only be remarked here that at the end of two years of active operation of the Act there were to be named but two instances in which industrial disputes, having been referred under the terms of this statute, were marked by strikes or lockouts, one such case occurring in each year; the difficulty in the fiscal year 1907-8, it will be remembered, concerned the Cumberland Railway and Coal Company of Springhill, N.S., and the difficulty in the fiscal year 1908-9 was that mentioned above relating to the machinists and carmen of the Canadian Pacific Railway Company. In both these cases the recommendations reached as a result of the inquiry under the Act were ultimately accepted by both parties and remain substantially the conditions under which in each case work is being carried on to-day.

The total number of disputes referred under the terms of the Act and disposed of during these two years was 55, of which 53 were disposed of without strikes or lockouts following. When it is remembered that the Act does not undertake to prevent or to settle all industrial disputes, but only to "aid" in the prevention or settlement, of disputes of a certain class, as is very explicitly set forth in its title—"An Act to aid in the prevention and settlement of strikes and lockouts," &c., it will doubtless be conceded that the law has established an admirable record for the first two years of its life. That it has "accomplished the main purpose for which it was enacted" was the conclusion of Mr. Victor Clarke, the eminent American sociologist of Washington, D.C., formed after a thorough investigation of the operations of the measure, conducted at the personal request of Mr. Roosevelt, then President of the United States. It may be remarked that several States of the United States have framed measures approximating that of Canada, and an act has recently been introduced into the Transvaal Legislature modelled closely on the Canadian law.

#### CONTINUED PUBLIC INTEREST IN THE ACT.

Enquiries continued to be received during the year from all quarters, and especially from the United States, with regard to the working of the Act, the fullest information being required and given. A curious and interesting development in this respect is the number of occasions on which the measure has been made the subject of debate between neighboring colleges and high schools in the United States, which have been brought to the attention of the Department by reason of requests for information; it is more than probable that there were



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other such occasions when no such request was preferred and the incident did not, therefore, come to the attention of the Department. One instance will be sufficient to show the general character of these debates. In the month of February, 1909, a debate of the character indicated was arranged to take place between students representing the University of Manitoba and the University of Dakota respectively. The question at issue was the merits of the Industrial Disputes Investigation Act, 1907, and it curiously happened that it fell to the students of the American University to defend the Act in opposition to the arguments of the Canadian institution. The debate took place at Winnipeg on Feb. 26, the Hon. T. Mayne Daly, Minister of the Interior for Canada in a former administration, being in the chair. Three students spoke on either side and the Chairman decided that the supporters of the Act were victorious in debate. Judging from the correspondence files of the Department such debates must have been frequent among the university students of the United States, and there is some gratification in realizing that a piece of Canadian legislation should thus serve as a stimulus to enquiry and debate in foreign lands concerning the foremost economic question of the day. In furnishing information concerning the Act copies of the annual report of the Department are freely distributed and it has been therefore thought desirable to include in the present report the text of the Act itself; it is believed that this course may also prove a convenience for the general reader.

## ORIENTAL IMMIGRATION ENQUIRIES, ETC.

Referring more fully to the second of the two notable features of the year's work mentioned above, namely, the further missions and investigations associated with the Department and arising more or less directly out of the problem of Oriental Immigration and the anti-Oriental disturbances at Vancouver, B.C., in September, 1907, it may be remarked that some of the enquiries of this class falling near the beginning of the fiscal year 1908-09 and the proceedings connected with which were briefly foreshadowed in the annual report of last year, are more comprehensively dealt with in the present volume. The enquiries and missions bearing on this subject which fell partly or wholly within the fiscal year 1908-09 were the following, namely:—

1. Mission of the Deputy Minister of Labour to Great Britain to confer with the British authorities on the subject of immigration from the Orient and from India in particular.

2. Enquiry of the Deputy Minister of Labour under Royal Commission into the losses and damages sustained by the Chinese residents of Vancouver, B.C., on the occasion of the Anti-Asiatic riots in that city September, 1907.

3. Appointment of Mr. W. L. Mackenzie King, M.P., C.M.G., former Deputy Minister of Labour, as a member of the British delegation to the Joint Opium Commission called to meet at Shanghai, China, in February, 1909.

The subject of Oriental Immigration continued to be a subject of deep interest to the general public, more particularly to the public of British Columbia where the great majority of the Oriental population is resident. The inflamed state of public feeling, noticeable a year ago, appears to have wholly disappeared,



owing doubtless to the diminution almost to the vanishing point of the numbers of immigrants from Japan and India respectively, a result achieved by the mission to Japan in 1907-8 of the Honourable Rodolphe Lemieux, then Minister of Labour, and by the mission to England in 1908 with reference to immigration from the East Indies, of Mr. W. L. Mackenzie King, then Deputy Minister of Labour.

In addition to the proceedings in connection with the enquiries outlined above, a report was presented to Parliament by Mr. W. L. Mackenzie King during the year on the result of an enquiry made by him into the opium traffic existing in Canada, evidence of which had come to his attention while conducting the enquiry into the Chinese losses at Vancouver. Recommendations looking to the suppression of the traffic which were included by Mr. King in the report were the basis of legislation enacted in the closing days of the 1907-8 session of Parliament. This voluntary enquiry and the legislation growing out of it appeared to afford special ground for the appointment of Mr. King to the joint Commission meeting at Shanghai. It may be mentioned in connection with this last named mission that Mr. King received instructions to proceed to China by way of India, and to avail himself of the opportunity of being in each of these countries to make for the information of the Government of Canada some personal enquiry into and concerning certain phases of the problem of Oriental immigration so far as it related to Canada, and to confer with the authorities of these countries.

#### RETIREMENT OF MR. W. L. MACKENZIE KING FROM THE DEPUTY-MINISTERSHIP.

There remains for fuller reference an incident of the year closely affecting the welfare of the Department and already mentioned briefly in the foregoing pages, the retirement, namely, of Mr. W. L. Mackenzie King, C.M.G., from the position of Deputy Minister, an office he had held from the inception of the Department in June, 1900. It is impossible in an official publication of the character of the present volume to make clear to what an exceptional degree the Department of Labour has been identified with its retiring deputy head, but it would appear to be a manifest obligation on Mr. Mackenzie King's successor to place on record the appreciation by himself and those who with him had served under that gentleman's direction of the broad lines on which the work of the Department had been conducted and of the spirit of earnestness and enthusiasm with which he sought, seldom without success, to inspire all those associated with that work. Mr. King, it may be further remarked, in a letter addressed under date of September 21, to the Minister announcing his retirement assigned as his reason for this course "a sense of public duty and a belief that the larger sphere of politics afforded ampler opportunities of public service." "There is hardly a phase of our national life," Mr. King went on to say, "which does not affect industrial conditions and which industrial conditions do not in turn affect, and my interest in the welfare of Canada and the people of this Dominion leads me to desire an opportunity of sharing in the solution of some of the larger problems which are arising and will continue to arise in this connection."



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The Honourable Rodolphe Lemieux, Minister of Labour, in his letter of acceptance, after expressing his deep personal regret at the severance of Mr. Mackenzie King's relation with the Department, continued:—

“ Well knowing, moreover, from my close association with you during the past three years your great capacity in affairs, your varied, and unique experience in matters affecting the great industrial issues of Canada, and the earnestness and zeal with which you have worked to promote the welfare especially of the wage-earning classes of Canada, I realize how severe for Canada would be the loss were your separation from the Department to entail a real interruption of your work. I look forward, however, to your finding in the larger arena of public life now opening before you, opportunity for continuing those efforts in the direction of industrial and economic advancement which have already earned for you a distinguished reputation far beyond the bounds of the Dominion.”

At the General Election for the Dominion Parliament, which took place in October, 1908, Mr. Mackenzie King was elected a member of the House of Commons for the riding of North Waterloo.

## APPOINTMENT OF NEW DEPUTY MINISTER.

The place of the retiring Deputy Minister was filled by the appointment from October 1 of Mr. F. A. Acland, who had been Secretary of the Department since March 1, 1907, and had been acting Deputy Minister during the frequent absences subsequent to that date, on account of various official missions, of Mr. Mackenzie King.

## APPOINTMENT OF ASSISTANT DEPUTY MINISTER.

On March 16, Mr. Gerald H. Brown, of Ottawa, Ont., was appointed Assistant Deputy Minister of the Department, filling thus the vacancy caused by the promotion of Mr. F. A. Acland. Mr. Brown had been for many years a well-known Canadian journalist and possessed qualifications which appeared to make the appointment especially appropriate. Mr. Brown assumed his duties on March 22.

## GENERAL WORK OF THE DEPARTMENT.

The general work of the Department continues throughout the year without interruption, showing continued development and expansion, these last mentioned being especially evident in the editing and circulation of the *Labour Gazette*, in the number of Fair Wage schedules prepared, and in the volume of inquiries concerning work of the Department received and answered.

## DEPARTMENT ELEVATED TO SEPARATE PORTFOLIO.

It will be proper before concluding this chapter to refer to a further event of special importance and interest to all interested in the work of the Department, the announcement, namely, by the Prime Minister during the month of October, 1908, that it was the intention of the Government to elevate the Department of Labour to the rank of a separate portfolio, presided over by a Minister of



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Labour. Hitherto, the Department had been attached for the most part to the portfolio of the Postmaster-General and the successive Postmasters-General from the days of Sir William Mulock had been also the successive Ministers of Labour. The representatives of organized labour in Canada had many times urged that this step should be taken and there is every reason to believe that under the new conditions contemplated the Department will find yet larger fields of work and will become a more potent influence in the social and economic life of Canada.

At the end of the financial year the projected change had not come actually into effect, but, slightly anticipating the course of events, it may be stated that during the last week of the session of Parliament the Premier introduced a measure framed on the lines indicated and providing that there should be a Minister of Labour who should have charge of the Department of Labour. The Bill passed both Houses and received the Royal assent on the prorogation of Parliament on May 19. On June 2, Mr. W. L. Mackenzie King, C.M.G., member for North Waterloo in the Dominion House of Commons and former Deputy Minister of Labour was sworn in ~~by~~ Minister of Labour and member of the Privy Council.

#### THE YEAR ABROAD.

In concluding this introductory chapter it will not be out of place to say that the period covered by the report has been one of special and peculiar interest to all interested in observing the economic and social movements of the world outside Canada. Few industrial countries have been during the year as free as Canada from the more disturbing aspects of the struggle between capital and labour. Disastrous and sometimes tragic strikes have been reported in many lands—Australia, New Zealand, Natal, Great Britain, France, the United States, etc., all far exceeding in gravity and loss any that Canada has experienced during the same period. On the other hand the year has seen legislation of the most advanced character on many social and economic questions by various countries, and especially by Great Britain. A reference to such matters does not fall strictly within a review of the work of the Department but it is one of the duties of the Department to endeavor to keep in touch with social and economic conditions the world over, and the literature of the year has teemed with evidences of legislative activity on these subjects.

#### EFFECTS OF THE CIVIL SERVICE AMENDMENT ACT.

The enactment of the Civil Service Amendment Act during the year affected the status of two members of the staff who by virtue of the provisions of the Act became permanent instead of temporary officers of the Department. The increase of clerical work required the appointment in January, 1909, of an additional stenographer.



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## CHANGES IN THE STAFF OF CORRESPONDENTS.

The following changes in the staff of correspondents of the *Labour Gazette* occurred during the year, viz.:—

J. R. Falconer, to be correspondent for Chatham, N.B., and district, to replace Theodore Debrisay, deceased.

A. Sharpe, to be correspondent for Peterborough, Ont., and district, to replace W. J. Johnston, resigned.

P. Obermeyer, to be correspondent for Hamilton, Ont., to replace S. Landers, resigned.

Wm. Drever, to be correspondent for Guelph, Ont., and district, to replace O. R. Wallace, resigned.

F. Urry, to be correspondent for Port Arthur, Ont., and district, to replace R. B. Harston, resigned.

Edmund Fulcher, to be correspondent for Brandon, Man., and district, to replace S. P. Stringer, resigned.

Geo. Howell, to be correspondent for Calgary, Alta., and district, to replace R. A. Brocklebank, resigned.

P. C. Foley, to be correspondent for Edmonton, Alta., and district, to replace J. A. Kinney, resigned.

## NEW APPOINTMENTS.

The following correspondents were appointed at new centres:—

H. C. Harold, to be correspondent for Lethbridge, Alta., and district.

A. D. Pepin, to be correspondent at St. Johns, Que., and district.

Mr. E. Douglas Armour, who has been for some years the legal correspondent of the *Labour Gazette*, reviewing the legal decisions reported from month to month, was compelled by ill health to resign during the year and the vacancy has not yet been filled.



## I.—THE LABOUR GAZETTE.

The *Labour Gazette*, the official journal of the Department, was published monthly in both English and French during the past year, as previously. In general scope the contents of the several issues were much the same as in the preceding year. A continuous effort, however, was made to increase the comprehensiveness of the information supplied and to improve the form in which it is presented. The number of brief special statements with regard to current events of importance from an industrial and economic standpoint was considerably increased in this connection during the past year.

Generally speaking the contents of each issue may be classified under three main headings as follows:—

I. A comprehensive review of industrial and labour conditions throughout Canada during the preceding month. This matter is further subdivided into:—  
(a) A general summary for the Dominion as a whole, this being the opening article of each issue; and, (b), a series of reports from the local correspondents to the *Labour Gazette*, resident in the several cities of the Dominion.

II. Special articles embodying the results of investigations conducted by the Department, or having reference to current events of importance. Under this heading is also published each month a review of proceedings under the Industrial Disputes Investigation Act, 1907, during the preceding month, with the text of the findings of the several boards conducting investigations under the act, judgments under the act, comment with reference to the act, etc. This matter, as in the previous year, formed an important part of each issue.

III. Statistical and other monthly returns and statements. These include separate articles with reference to immigration and colonization, trade disputes, industrial accidents, changes in wages and hours, recent industrial agreements, recent legal decisions affecting labour and reviews of blue books and other official publications received at the Department during the preceding months dealing with subjects of interest from the standpoint of industry and labour.

The following is a detailed statement of the various articles and returns published during the past year in the *Labour Gazette*:—

### 1.—MONTHLY REVIEW OF INDUSTRIAL AND LABOUR CONDITIONS.

#### (a) General Summary.

As above stated, the opening article in the *Labour Gazette* each month consisted of a review of industrial and labour conditions throughout Canada during the preceding month. In general scope and form the article was unchanged from the preceding year, though a few changes in detail were made. The primary object of the article is to set forth each month, in a comprehensive and at the same time concise manner, the nature and extent of industrial



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activity and the amount of employment generally available for skilled and unskilled labour. In the opening paragraph a résumé of the industrial situation as a whole is given, with brief references to the more important features in the current labour market. This is followed by statements relating to the movement of wages, the cost of living as reflected in the wholesale prices of important staple commodities, and interruptions to industry caused by strikes, weather conditions, fires, floods or otherwise. Conditions in the several industries and trades are then indicated in detail under the following headings: Agriculture; fishing; lumbering; mining; manufacturing; railway construction; general transport; the building trades; the metal, engineering and shipbuilding trades; the woodworking and furnishing trades; the printing and allied trades; the clothing trades; the textile trades; the food and tobacco preparation trades; the leather trades; miscellaneous trades; and unskilled labour. The latest statistical and other information relating to trade, foreign and domestic, and to the public revenues of the country is added. Developments having an important bearing on the condition of industry and labour, in connection with such subjects as technical education, municipal ownership, combines in restraint of trade, etc., which from their nature cannot readily be included under the above headings, are dealt with in a series of notes appended to the article.

The review while wholly of the nature of an industrial and labour chronicle, is prepared with the special object of affording an index to probable conditions of employment for some months in advance. Conditions affecting the crop yield, for example, the progress of settlement in western Canada, and similar developments, are noted carefully from month to month, as exerting an influence beyond the immediate present. Similarly, the various contracts awarded in connection with railway construction, which has been carried out on so exceptional a scale during the past few years in Canada, have been noted, as being of special significance with regard to future as well as present conditions of employment.

In order to render the information collected by the Department as readily available as possible, a tabular statement is embodied in the article each month, showing by means of carefully defined terms the exact conditions of employment in the several trades and industries in the chief centres of industry throughout Canada. The table enables an accurate idea to be obtained, at a glance, both with regard to conditions in any particular group of trade throughout Canada and with respect to general conditions in each of the several cities.

The information embodied in the above review and table is collected from various sources. The newspaper press and the leading commercial and trade journals of the country are read from day to day, and reports contained therein, of interest from the standpoint of industry and labour, are clipped, and, after verification, are used in the preparation of the article. The monthly reports of the correspondents to the *Labour Gazette* are also summarized, the correspondents being required from time to time to furnish, in addition to their regular reports, matter of a special nature with regard to particular developments in their several localities. Information is also sought directly from the parties immediately concerned in current enterprises affecting the labour market.



**Reports of Local Correspondents.**

Immediately following the general review, the reports received from the several correspondents of the Department for the leading industrial centres of the Dominion are published from month to month, the order followed being from east to west. The reports are prepared on a common plan, and deal, 1st, with the general condition of the local labour market; 2nd, with conditions in the local industries; 3rd, with conditions in the several trades; and, 4th, with conditions in the surrounding districts. The correspondents also send in during the month returns on specially prepared forms information with regard to labour disputes, changes in wages, industrial accidents, labour organizations or employers' associations formed or dissolved, and local legal decisions affecting labour. In connection with the preparation of these reports the Department conducts an extensive correspondence with its several representatives in order to ensure accuracy and comprehensiveness in the information supplied. Newspaper items, brought to the attention of the Department through its clipping bureau, are in this way verified by the correspondents; on the other hand, the information contained in the correspondents' reports is continually used by the Department as a basis for further enquiries from the persons immediately concerned. Altogether more than 2,000 letters were sent out during the fiscal year 1908-09 in connection with the reports of the correspondents and the compilation of the general summary.

**2.—SPECIAL ARTICLES.****(a) The Industrial Disputes Investigation Act, 1907.**

By section 29 of the Industrial Disputes Investigation Act it is required that, for the information of Parliament and the public, the reports and recommendations of any board established under the act for the adjustment of an industrial dispute, together with any minority report, shall, without delay, be published in the *Labour Gazette*. A large amount of space was devoted from month to month to reporting proceedings in connection with the various applications received at the Department for the establishment of boards. The reports of the various boards were also published in full, being accompanied in most instances by brief statements outlining the procedure of the boards in arriving at a decision.



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The following table shows the number of applications received at the Department from month to month, for the establishment of boards under the act, according to the record published in the *Labour Gazette*.

Month.	Number of Applications.
March .....	5
April .....	2
May .....	7
June .....	1
July .....	2
August .....	3
September .....	1
October .....	1
November .....	..
December .....	3
January .....	..
February .....	1

A full list of the parties from whom applications were received, as reported in the *Labour Gazette* during the year, is as follows:—

1. Employees of the King Edward Mine, Cobalt, Ont.
2. Lake Seamen's Union, being employees of the Canadian Lake Carriers, through the Dominion Marine Association.
3. Employees of the Manitoba and Saskatchewan Coal Company, Limited, of Bienfait, Sask.
4. Employees of the Western Dominion Collieries, Limited, Taylortown, Sask.
5. Mechanics' Lodge No. 23, Provincial Workmen's Association of Nova Scotia, being employees of the Cumberland Railway and Coal Company, Limited.
6. Various trades in mechanical departments of Canadian Pacific Railway, Winnipeg, Man.
7. Various trades in mechanical departments of the Canadian Northern Railway.
8. Employees of Ottawa Electric Railway Company, Ottawa, Ont.
9. Employees of Nova Scotia Steel and Coal Company, Limited, N. Sydney, N.S.
10. Employees of the Acadia Coal Company, Stellarton, N.S.
11. Employees of the Intercolonial Coal and Coke Company, Westville, N.S.
12. Employees of the Standard Coal Company, Edmonton, Alta.
13. Employees of the Port Hood Richmond Coal Company, Port Hood, N.S.
14. Railroad telegraphers, Canadian Pacific Railway.
15. Employees of the Maritime Coal, Railway and Power Company, Limited, Chignecto Mines, Cumberland County, N.S.
16. Employees of Cobalt Central Mining Company, Limited, Cobalt, Ont.
17. Locomotive firemen and enginemen, Canadian Pacific Railway Company.
18. Locomotive firemen and enginemen, Canadian Pacific Railway Company.
19. Carmen employed by the Quebec and Lake St. John Division of the Canadian Northern Railway Company.



20. Locomotive engineers employed by Canadian Northern Railway Company.
21. Employees of Quebec Railway, Light and Power Company, Quebec, Que.
22. Employees of the Galbraith Coal Company, Blairmore, Alta.
23. Employees of the John Ritchie Company, Quebec, Que.
24. Commercial telegraphers employed by the Michigan Central Railway Company.
25. Station and telegraph employees of the Kingston and Pembroke Railway Company.
26. Employees of the Manitoba Cartage Company, Limited, Winnipeg, Man.

### *List of Reports Published.*

The following is a full list of reports of Boards published in the *Labour Gazette* during the year, accompanied in each case by statements relating to the proceedings of the Boards, and embodying in the majority of cases the text of the agreement arrived at as the result of the invoking of the Act.

1. Report of the Board established in a dispute between the Dominion Coal Company, Limited, of Glace Bay, N.S., and its employees. The report included the full text of an agreement concluded before the Board, and of a correspondence with reference to the report which passed between the Minister of Labour and the chairman. Certain resolutions adopted by the employees and the Glace Bay municipal council in appreciation of the terms arrived at were also printed. (*Labour Gazette*, April, 1908, page 1222.)
2. Report of the Board established in connection with a dispute between Messrs. John Marsh, John Howells and Stevens Bros., mine operators at Woodpecker, Alta., and their employees. The text of a minority report was also published. (*Labour Gazette*, May, 1908, page 1335).
3. Report of the Board established in connection with a dispute between the Hamilton Street Railway Company, the Hamilton and Dundas Railway Company and the Hamilton and Burlington Radial Railway Company, Hamilton, Ont., and their employees. The text of a minority report was also published. (*Labour Gazette*, May, 1908, page 1336).
4. Report of the Board established in connection with a dispute between the Lake Seamen's Union and the Dominion Marine Association, Kingston, Ont. The text of a letter from the men's representative was also published. (*Labour Gazette*, May, 1908, page 1342).
5. Report of the Board established in connection with a dispute between the Western Dominion Collieries, Limited, Taylortown, Sask., and its employees. The text of an agreement concluded before the Board was printed. (*Labour Gazette*, June, 1903, page 1439).
6. Report of the Board established in connection with a dispute between the Cumberland Railway and Coal Company, Springhill, N.S., and its employees. The text of a minority report was also printed. (*Labour Gazette*, June, 1908, page 1442).
7. Report of the Board established in connection with differences between the Ottawa Electric Railway Company, Ottawa, Ont., and its employees. The text of an agreement concluded before the Board was printed. (*Labour Gazette*, July, 1908, page 53).



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8. Report of the Board established in connection with a dispute between the Canadian Pacific Railway Company and its mechanical departments. The text of a minority report was also published. (*Labour Gazette*, August, 1908, page 152. For statement *re* acceptance of findings by employees, see *Labour Gazette*, November, 1908, page 506).
9. Report of the Board established in connection with differences between the Standard Coal Company, Edmonton, Alta., and its employees. (*Labour Gazette*, August, 1908, page 160).
10. Report of the Board established in connection with differences between the Maritime Coal, Railway and Power Company, of Chignecto Mines, N.S., and its employees. (*Labour Gazette*, August, 1908, page 161).
11. Report of the Board established in connection with a dispute between the Nova Scotia Steel and Coal Company, of Sydney Mines, N.S., and its colliery employees. The text of an agreement concluded before the Board and of the chairman's covering letter was also printed. (*Labour Gazette*, September, 1908, page 287).
12. Report of the Board established in connection with a dispute between the Cobalt Central Mining Company of Cobalt, Ont., and its employees. (*Labour Gazette*, September, 1908, page 293).
13. Report of the Board established for the adjustment of differences between the Canadian Pacific Railway Company and the Order of Railroad Telegraphers *re* the dismissal of an employee of the Company. (*Labour Gazette*, October, 1908, page 399).
14. Report of Board established to adjust differences between the Quebec Light, Heat and Power Company, of Quebec, and its street railway employees.
15. Report of the Board established in connection with differences between the Quebec and Lake St. John Division of the Canadian Northern Railway Company and its carmen. (*Labour Gazette*, December, 1908, page 594).
16. Report of the Board established to adjust differences between the Canadian Northern Railway Company and the Brotherhood of Locomotive Engineers. (*Labour Gazette*, December, 1908, page 597).
17. Report of the Board established to adjust differences between the Galbraith Coal and Coke Company of Lundbreck, Alta., and its employees. (*Labour Gazette*, January, 1909, page 701).
18. Report of the Board in the case of a dispute between the Manitoba and Saskatchewan Coal Company of Bienfait, Sask., and its employees. The text of a minority report was also printed. (*Labour Gazette*, January, 1909, page 703).
19. Report of the Board established to adjust differences between the Canadian Pacific Railway Company and the Brotherhood of Locomotive Firemen and Enginemen. (*Labour Gazette*, February, 1909, page 862).
20. Report of the Board established to adjust the dispute between the John Ritchie Company, boot and shoemakers, Quebec, Que., and its employees. The text of an agreement concluded before the Board was printed. (*Labour Gazette*, March, 1909, page 970).
21. Report of the Committee of Conciliation, Mediation and Investigation to which, in accordance with section 5 of the Industrial Disputes Investigation Act, 1907, was referred for adjustment under the section relating to railway disputes under the Conciliation and Labour Act, certain differences between the Intercolonial Railway of Canada and the Freight Clerks' Unions at Halifax, N.S., and St. John, N.B. The findings of the Committee were printed in full. (See *Labour Gazette* for November, 1908, page 500).



In addition to the above reports various statements of a special nature with reference to legal decisions under the Act were published during the year. In the June, 1908, issue of the *Gazette*, the text of a decision rendered by the Stipendiary Magistrate for the County of Kootenay, B.C., was given. In the month of July two decisions under the Act were recorded by the courts of Alberta and a special reference to both was published in the *Labour Gazette* for the ensuing month. The Supreme Court of the same province rendered a judgment arising out of a charge of a breach of an agreement effected under the Act during the month of July, and the full text was published in the August *Gazette*.

During the spring of 1908, Dr. Victor S. Clark, of Washington, D.C., a noted American educator and labour expert, visited Canada for the purpose of making an investigation into the operation of the Industrial Disputes Investigation Act, and of placing the results of his investigation before the people of the United States. In this connection Dr. Clark first visited Ottawa, where he obtained, at the Department of Labour, full information with regard to the administration of the Act, with access to the records of its operation. He then proceeded to Montreal and the Maritime Provinces, in order to study the operation of the Act in the proceedings of the Boards which at that time were holding sessions in the localities mentioned. Subsequently Dr. Clark visited each of the other provinces and most of the industrial centres of Canada, studying the results of decisions under the Act. The results of this investigation appeared in the form of an extended article published in the May issue of the Bulletin of the United States Bureau of Labour. The report occupied in all over 80 pages of concise, and carefully written matter. After a discussion of the theory of the Act, its influence on conditions of employment and industry was dealt with. The administration and interpretation of the Act, its operation in particular cases, and the attitude of employers, employees and the public towards it were reviewed in detail. In conclusion, the value of the Act as suggesting the possibility of enacting a similar measure in the United States, was discussed. Following this the full text of the Act was given, with comments, clause by clause, by Dr. Clark. In view of the exhaustive nature of the investigation, and of the high character held by Dr. Clark as an authority on sociological and labour questions, a large portion of his report was reprinted in the *Labour Gazette* for September, 1908.

At the annual convention of the American Association for Labour Legislation, held in Atlantic City, N.J., on December 29 and 30, 1908, Professor Adam Shortt, of Ottawa, Ont., gave an interesting address on the Industrial Disputes Investigation Act. Professor Shortt, it will be remembered, prior to his appointment as one of the Civil Service Commissioners, under the Civil Service Amendment Act, 1908, was called upon to act as chairman in the case of a considerable number of Boards established to adjust disputes referred for settlement under the terms of the Industrial Disputes Investigation Act, and acquired in consequence a large experience of the workings of the Act in all its different phases. Prof. Shortt's address was, as its author pointed out, devoted to certain special observations derived from experience rather than to a systematic analysis of the Act or to a discussion in detail of its merits and defects. The



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text of Prof. Shortt's paper was published in the *Labour Gazette* for January, 1909.

The same issue of the *Gazette* contained a special statement reviewing proceedings under the Act during the calendar year, giving a list of the Boards from whom reports had been received and a list of the disputes unsettled at the end of the year, together with a resumé of the general result of proceedings under the Act. Altogether, reports were received from twenty-five Boards of Conciliation and Investigation during 1908. In addition, four disputes were under consideration by Boards at the close of the year, one of which was in the case of an industry not to be classed as a public utility and was accordingly referred under the Act by the joint consent of the parties concerned. In only one of the disputes referred for adjustment under the Act during 1908 did a lock-out or strike occur, the exception being in the case of the Canadian Pacific Railway Company and its mechanics. In the majority of the other cases settlements were effected in accordance with the recommendations of the Boards, and in the remaining cases the threatened strike or lockout was averted.

A brief report of a debate between the students of the University of Manitoba and those of the University of North Dakota, in which the subject was the Industrial Disputes Investigation Act, was printed in the *Labour Gazette* for March, 1909.

(b) **Royal Commission on Conditions in the Cotton Factories of Quebec.**

Following certain industrial disputes affecting cotton mill employees in the Province of Quebec, and an interview during the month of May, 1908, of a delegation of textile workers from that province with the Honourable the Minister of Labour, the Deputy-Minister of Labour, Mr. W. L. Mackenzie, C.M.G., was appointed a commissioner "to investigate and report upon certain disputes between employers and employees in connection with cotton factories in the Province of Quebec and into the nature and causes thereof, and into the relations between employers and employees in the same or kindred industries and industrial centres other than those immediately affected." The Commissioner began his inquiry at Montreal, Que., in July. An adjournment occurred from the 18th of July until the 3rd of August, after which sittings were continued at other points in the Province until August 8th. Later, the Commissioner paid a visit to the mills of the Dominion Textile Company at Montmorency, Que., and to some of the large cotton mills at Lowell and Fall River, Mass. Detailed reports of the sessions and proceedings of the Commissioner were published in the *Labour Gazette* for August and September. In all fifty-six witnesses were examined by the Commissioner, including the managers and chief officers of the Dominion Textile Company and the Montreal Cotton Company, twelve superintendents and overseers, the leading union officers, twenty-three male operatives and nine female operatives. In addition, forty-nine exhibits were filed before the Commissioner.

The report of the Commission was laid on the table of the House of Commons on January 25, 1909, and an extended review of the same was published in the *Labour Gazette* for the following month. The review set forth in full detail the nature of the investigation conducted by the Commissioner, a descriptive



account of the cotton industry in Canada, an historical sketch of labour organization among Canadian cotton workers, an outline of the causes of the dispute of 1908, and some remarks by the Commissioner with regard to the effects of the tariff on the cotton industry. Perhaps the most vitally interesting portion of the report had reference to the employment of women and children in the cotton mills of Quebec, several pages being devoted by the Commissioner to a discussion of the conditions of labour as they affect these classes. Especially noteworthy were the representations made by the Commissioner regarding the employment of children under age. A sketch of the Quebec law bearing on the subject was given together with an examination of the general considerations involved. The report then set forth a number of suggestions with regard to the betterment of relations between employers and employees in the industry based on certain arrangements for the adjustment of wages in use in the Fall River mills. The conclusions of the Commissioner, arranged under fourteen headings, were quoted in full in the review, together with a reference to an appendix to the report in the form of a tabular statement of the strikes and lock-outs occurring in the industry since 1900.

#### (c) Oriental Immigration.

During the month of March, 1908, Mr. W. L. Mackenzie King, Deputy Minister of Labour, was despatched by the Government of Canada to Great Britain for the purpose of conferring with the various departments of the English Government on the subject of the immigration of East Indians to Canada. The terms of the report of the Committee of the Privy Council under which Mr. King's mission was undertaken, as approved by His Excellency the Governor-General-in-Council, were printed in the *Labour Gazette* for April, 1908. In the *Gazette* for the following month a statement was published with reference to the negotiations carried on by Mr. King while in England, and in the issue for June, 1908, the text of Mr. King's report on his mission, which had been presented to Parliament under date of May 4, 1908, was set forth in full, with the exception of the introductory portion. The statement as published in the *Gazette* described the nature of the interviews held by Mr. King with members of the British Government and others, presented an analysis of the causes of the emigration from India and of the methods adopted to restrict emigration, and in conclusion gave an outline of the underlying principles involved in the settlement of the problem of immigration within the Empire.

The text of an order-in-council requiring certain Asiatic immigrants to have at least \$200 in their possession before being permitted to enter Canada was published in the *Labour Gazette* for July, 1908.

#### (d) Suppression of the Opium Traffic in Canada.

In the course of an investigation conducted by Mr. W. L. Mackenzie King, Deputy Minister of Labour, into the losses sustained by the Chinese population of Vancouver, B.C., on the occasion of the riots in that city in September, 1908, information was brought to light showing the existence on a considerable scale of the opium traffic in Canada. In his report as Commissioner, Mr. King made special reference to the evidence secured as to the extent of this traffic and con-



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cluded with a recommendation that the Government of the Dominion and the Governments of the provinces should co-operate with the Governments of Great Britain and of China in an effort to free the people from an evil so injurious to their interests and well-being. The text of this portion of the report was printed in the *Labour Gazette* for July, 1908. A further special report by Mr. King with regard to the need of the suppression of the opium traffic in Canada was presented to Parliament early in July and was printed in the *Labour Gazette* for the following month. The report gave further details as to the extent of the traffic in British Columbia and the provincial legislation bearing on the matter, together with a description of the attitude of the British, Japanese and United States governments with regard to the traffic in opium. The need of Dominion legislation was strongly dwelt upon. Subsequent to the presentation of this report an Act "to prohibit the importation, manufacture and sale of opium for other than medicinal purposes," was introduced in the House of Commons by the Honourable Rodolphe Lemieux, Minister of Labour, and received the Royal assent on July 20. The text of the Act was reprinted in the *Labour Gazette* for August, 1908.

**(e) Building Operations in Canada during 1907.**

During the opening months of 1908, the Department made a special investigation into the nature and extent of building operations in Canada during the preceding calendar year. One of the most noteworthy features of the season of 1907 in Canada was the marked activity of building operations which accompanied the general expansion in commerce and industry. Not only was an exceptional amount of employment rendered available thereby to workingmen in the building trades, but those engaged in the manufacturing of building material were correspondingly affected. The statistics sought by the Department included the number of permits issued in all municipalities having a population of 5,000 and upwards, and the declared valuation of the buildings erected therein. In municipalities in which no system of issuing permits was in vogue returns based on estimates prepared by local architects, building contractors, assessment commissioners or others in a position to furnish reliable information were secured. The returns were further classified according as the work was in connection with new buildings or repairs. This information was presented in full in a tabular statement, corresponding details being added for the preceding year where such were obtained. Accompanying the table was a brief explanatory statement setting forth the general nature and extent of building operations during 1907 in each of the more important centres of population throughout Canada.

Altogether the Department secured detailed information for fifty-one localities, the return being complete for all localities with a population of 8,000 and over in Canada. The total value of buildings erected in these localities was shown to be \$58,587,987.50. Of this amount the city of Toronto, Ont., contributed \$14,325,800, being, as in 1906, the locality in which building was most active during the year. The city of Montreal, Que., with \$8,406,136, stood second; Winnipeg, Man., stood third with \$6,455,350; and Vancouver, B.C., fourth with \$5,596,594. The remaining cities in which the value of building during 1907 exceeded \$500,000, were: Hamilton, Ont., \$3,030,240; Ottawa, Ont., \$2,364,950; Edmonton, Alta.,



\$2,275,218; Calgary, Alta., \$2,109,249; Victoria, B.C., \$1,500,000; Regina, Sask., \$1,177,840; Medicine Hat, Alta., \$1,000,000; London, Ont., \$875,000; Halifax, N.S., \$626,603; Berlin, Ont., \$770,000; Stratford, Ont., \$667,038; Brandon, Man., \$557,180; Quebec, Que., \$529,820; Guelph, Ont., \$520,750; Sherbrooke, Que., \$520,100; New Westminster, B.C., \$520,000; and Brantford, Ont., \$510,020.

Comparative returns relating to the value of buildings in 1907 and 1906 were obtained in the case of forty cities. These included all the larger centres. In these cities the total value of buildings erected in 1906 was \$58,615,174, and in 1907, \$56,305,792.50. The decrease of building in these cities in 1907 as compared with 1906 was, accordingly \$2,309,381.50. The localities from which returns were received to the effect that the year was less active than in 1906, were Sydney and Halifax, N.S.; Charlottetown, P.E.I.; St. Hyacinthe and Montreal, Que.; Belleville, Welland, St. Catharines, Woodstock, London, St. Thomas and Sault Ste. Marie, Ont.; Winnipeg and Brandon, Man.; and Regina, Sask. The most notable decrease of the year took place at Winnipeg, Man., viz., \$6,305,100. In all the other cities increases were shown. The localities in which the increase in the amount of building during the year compared with the preceding year was more than \$500,000, were as follows:—

City.	Amt. of Increase.
Vancouver .....	\$1,362,684
Toronto .....	1,165,402
Hamilton .....	1,105,425
Victoria .....	800,700
Ottawa .....	635,975
Calgary .....	626,265

#### (f) Labour Organization in Canada during 1908.

The Department published in the March, 1909, issue of the *Gazette* its usual statistical return with reference to the formation and dissolution of labour organizations in Canada during the preceding calendar year. The article was similar in form and scope to the reviews published on the same subject in previous years. A full list of the unions formed and dissolved was given, details being set forth, in the case of each organization, with regard to locality, date of formation, and other particulars, including in the case of dissolved unions information with regard to the cause of dissolution. The statistics were based upon information collected during the year from the daily press, from the trade journals of the several labour organizations, and from other sources, details being obtained or verified by correspondence with the secretaries of unions, trade union organizers, correspondents to the *Labour Gazette*, and other persons in a position to furnish accurate information.

According to the information received by the Department up to the end of February, 1909, the total number of labour organizations formed in Canada during 1908 was 197, and of organizations dissolved, 90. There was, accordingly, a net increase of 107 during the year in the number of organizations in existence.



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Compared with 1907, the activity of organization was less pronounced, 232 organizations having been formed and 58 dissolved during that period, a gain of 174. The year, however, was much more active than 1906, in which 154 unions were formed and 85 dissolved, a gain of 69; than 1905, in which 103 unions were formed and 105 dissolved, a loss of 2; or than 1903, in which 148 were formed and 104 dissolved, a gain of 44. The only other year, in addition to 1907, in which the formation of labour organizations was more active in Canada since the record of the Department was established, was 1903, in which the total number of unions formed reached 275, and of unions dissolved, 54, a net gain of 221, being the largest recorded.

The following table, taken from the article, shows by industries and groups of trades the number of labour organizations formed and dissolved in Canada during each of the past five years respectively:—

DEPARTMENT OF LABOUR, CANADA.  
STATISTICAL TABLES, IX, A. R. No. 1.

TABLE SHOWING BY INDUSTRIES AND GROUPS OF TRADES THE NUMBER OF LABOUR ORGANIZATIONS FORMED AND DISSOLVED IN CANADA DURING 1904, 1905, 1906, 1907, AND 1908.

Industries or Groups of Trades.	1904		1905		1906		1907		1908	
	Unions Formed	Unions Dissolved.	Unions Formed	Unions Dissolved.	Unions Formed	Unions Dissolved.	Unions Formed	Unions Dissolved.	Unions Formed	Unions Dissolved.
Agriculture .....		1								
Fishing.....			5		12		1			
Lumbering.....						1			1	
Mining.....	14	4	3	1	7	5	19	2	13	10
Building.....	35	25	22	13	44	18	41	6	30	27
Metal.....	25	12	11	13	18	14	43	13	22	10
Woodworking....	1	13	54	8	2	2	2	2	1	1
Printing.....	9	1	12	2	5	3	9	3	13	1
Clothing.....	20	3	7	4	7	6	8	4	7	8
Leather.....	1		2	2	3		1	1		1
Textile.....					11		11	3	1	1
Food and Tobacco Preparation.....	2	11	7	4	1	1	6		8	5
Hotel and Restaurant employees*.							8		7	5
Railway employees.							51	20	61	16
Street Railway employees†.....							2	1	2	
General transport..	21	18	18	50	19	18	5		4	1
Miscellaneous.....	14	14	6	1	13	13	17	3	20	4
General Labour...	5	7	4	2	4	2	5		2	
Trades and Labour Councils .....	5		2	1	8	2	3		5	
	148	104	103	105	154	85	232	58	196	90

\* Included under "Food and Tobacco Preparation" in 1904, 1905 and 1906.

† Included under "General Transport" in 1904, 1905 and 1906.

The article also contained tables showing the number of organizations formed and dissolved according to provinces and months. A table showing the number of charters issued or withdrawn in Canada during the year by the leading international labour organizations was also included.



**(g) Unemployment during the Winter Season, 1908-09.**

As is well understood, the advent of winter in Canada usually throws a number of workmen engaged in outdoor occupations out of employment, and the extent to which these conditions are intensified by other agencies is of great importance at that season of the year. During the winter 1907-08 conditions in this respect were very favourable and the possibility of a recurrence of the situation during the winter of 1908-09 was a matter of apprehension at many points in the closing months of 1908. With a view to presenting information of a thoroughly reliable character in this connection, for use in dealing with prevailing conditions, the Department obtained from the correspondents of the *Labour Gazette* during the closing week of December, 1908, a special statement setting forth the extent of unemployment in their several cities or districts. These reports were published under a separate heading in the January, 1909, issue of the *Labour Gazette*.

It was shown by the reports that, except in one or two localities, conditions in this respect were considerably more favorable than at the corresponding period of the previous year. In the Maritime provinces, dullness in the lumbering industry and quietness in or about the collieries caused a good deal of short time and unemployment, and in Quebec and Ontario the continued quietness in manufacturing, an industry usually unaffected by seasonal influences, and in lumbering, which as a rule employs large numbers during the winter, produced a similar result. The comparatively light snowfall and the late opening of the ice-harvest also affected employment. On the other hand, the restrictions on immigration exercised by the Dominion Government during the previous season were found to have had a beneficial effect, and a gradual improvement in financial and commercial conditions after the set-back of 1907 was reported in progress. In Western Canada the favourable crop returns rendered conditions comparatively buoyant. The lumbering industry in British Columbia was very dull, but metalliferous mining was active, and the situation as a whole showed a decided improvement over that of the preceding winter.

**(h) Sunday Labour on Railways.**

During the month of August, 1908, applications were made by the Grand Trunk and Père Marquette Railway Companies before the Board of Railway Commissions with reference to the interpretation of certain sections of the Lord's Day Act. More particularly the reference was to the handling of trains of cars on Sunday and the definition of what constitutes works of necessity for railroads under the act. The applications came up for hearing during September and the Department of Railways and Canals, the Lord's Day Alliance, the Rational Sunday League and the two Railway Companies were represented by counsel. The Department of Labour was also represented by counsel at the hearing in order to place before the commission certain representations received on behalf of various railway organizations in support of the Lord's Day Act in its present form and opposing the appeal of the railway companies. The *Labour Gazette* for September contained a special statement with reference to the action



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of the Department, whilst the *Labour Gazette* for November contained the text of the findings of the Board of Railway Commissioners in the applications mentioned.

(i) Special Articles Relating to Co-operation.

The following special articles relating to co-operation in Canada were published in the *Labour Gazette* during the year:—

1. An official return relating to *Co-operative Production and Distribution in Ireland* during 1906, was noted in the June, 1908, issue.

2. *Co-operative Arrangement of Stanley Mills & Company, Limited, Hamilton, Ont.*—About five years ago the business of Stanley Mills & Company, Limited, operators of a departmental store at Hamilton, Ont., was reorganized, and an arrangement adopted whereby the employees of the firm were allowed to secure a financial interest therein. A savings department for employees was established, and after operating for about five years some 496 shares out of the 1,000 shares of preferred stock available had been taken up by the employees. In a special article published in the April, 1908, *Gazette*, the nature of the arrangement was described, and the financial report of the Company for 1908 set forth.

3. *The Brantford Co-operative Association, Limited.*—During the winter of 1908 a co-operative distribution association was organized at Brantford, Ont. A special article dealing with the origin of the association, its working methods, and other features of its administration, was published in the May, 1908, issue of the *Labour Gazette*.

4. *The Workmen's Store Company, Limited, of Dominion, N.S.*—A special reference was published in the May, 1908, *Gazette* to the progress of this company during the preceeding six months' period.

5. *The Montreal Industrial Co-operative Society, Limited.*—A special article dealing with the organization and rules of this concern was published in the *Labour Gazette* for December, 1908.

6. *Labour Co-partnership in the Shipbuilding Industry, Great Britain.*—An experiment proposed by Sir Christopher Furness, M.P., as a means of securing industrial peace in the shipbuilding industry of the north-east coast of England, by means of a scheme of industrial co-partnership, attracted wide attention throughout the industrial and economic world in the closing months of 1908. A special article setting forth the details of the proposal and of the action taken by the parties interested was published in the *Labour Gazette* for December, 1908.

7. *Co-operative Fruit Growers' Associations.*—A list of these associations, in operation in Canada during 1908, supplied by courtesy of the Chief of the Fruit Division of the Department of Agriculture, Canada, with the name in each case of the manager or secretary, was published in the *Labour Gazette* for January, 1909.

8. *Glace Bay, N.S., Co-operative Society, Limited.*—A review of the by-laws of this society which now records a total of about \$120,000 sales per year, was published in the *Labour Gazette* for January, 1909.



9. *Co-operative Congress at Hamilton, Ont.*—During the month of February, 1909, a circular communication was sent out under the auspices of the Hamilton, Guelph and Brantford co-operative associations, convening the first congress of co-operative societies to be held in Canada. The purpose of the congress was to discuss the feasibility of establishing a co-operative union in Canada similar in scope and functions to the British union. The circular was reprinted in full in the March, 1909, issue of the *Labour Gazette*.

10. *The New Westminster Co-operative Association, Limited.*—This association, incorporated in June, 1908, reported a membership of 178 in February, 1909. A review of the by-laws was published in the *Labour Gazette* for March, 1909.

11. *The Union Co-operative Association of Rossland, B.C.*—This association opened a store on May 10, 1908, with a paid-up capital of \$3,000. By the end of the year the capital had increased to \$7,000, and the turn-over in December amounted to nearly \$6,000. A detailed report of the progress of the association was printed in the *Labour Gazette* for March, 1909.

#### (j) Other Special Articles.

The following is an enumeration of the subjects in addition to those above mentioned which were dealt with under special headings in the *Labour Gazette* during the past year:—

1. *Legislation in Canada by the Dominion Parliament and by the Legislatures of the several Provinces during 1908, affecting Industrial and Labour Conditions.*

(A) *Dominion Legislation.*—The 1907-08 session of the parliament of Canada was the longest on record. Among the more important acts enacted were the following:—An Act establishing a system of government old age annuities; an Act placing the Dominion Civil Service under the administration of a commission; an Act to restrain the use of tobacco by young persons; a juvenile delinquents' act; an Act to re-define the liability of railway employees for negligence; Acts amending the Canada Shipping Act and relating to steamboat inspection and the examining and licensing of engineers; a revision of the legislation affecting the payment of bounties; two Acts with reference to the grading and inspection of agricultural products; legislation for the facilitation of western grain shipments; an Act for the encouragement of the tobacco industry; a consolidation of the Public Lands' Act; an amendment to the Meat and Canned Foods' Act of 1907; an Act to prohibit the importation, manufacture and sale of opium; Acts enlarging the powers of the railway commissioners and bringing telegraphs and telephones under their jurisdiction; an Act making the Chinese Immigration Act more stringent; and Revotes for subsidies to 72 projected railway lines. The above and other legislation of the session was reviewed in some detail in an article published in the September, 1908, issue of the *Labour Gazette*. The more important bills affecting labour which were introduced and which did not receive the Royal assent were also briefly noted.



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(B) *Nova Scotia Legislation*.—Among the more important acts passed by the Nova Scotia legislature during 1908 were: an Act incorporating the Nova Scotia Colliery Workers' Provident Society and creating an old age pension board, and an Act amending the statutes having reference to miners' relief societies. The appointment was authorized by special statute of a commission of three to report upon the economic effect of an eight hour day. Legislation amending the Coal Mines' Regulation Act, and having reference to technical education and forest protection was also passed. A review of the above was published in the *Labour Gazette* for July, 1908.

(C) *New Brunswick Legislation*.—Among the 88 statutes passed by the New Brunswick legislature in 1908 the most widely discussed was the Workmen's Compensation for Injuries' Act. Acts relating to compulsory school attendance and having a bearing on immigration, lumbering and dairying were also passed. These measures were reviewed in the *Labour Gazette* for October, 1908.

(D) *Quebec Legislation*.—A review of Quebec legislation during 1908 was published in the *Labour Gazette* for October, 1908. The legislation dealt with in the review was as follows:—An Act relating to the inspection of scaffolding; an Act enlarging the scope of the Public Buildings' Inspection Act and relating to the employment of female labour in shops; an Act relating to prison labour; an amendment of the License Act for the protection of wage earners; an Act respecting co-operative agricultural associations; and various amendments to the Public Lands' Act.

(E) *Ontario Legislation*.—The most important acts of the year from the standpoint of industry and labour were amendments to the Shops' and Factories' Regulations Acts whereby the law with respect to child labour was made more stringent. The most extensive single Act of the session was an amendment and consolidation of the Mines' Act. Some important legislation with reference to the lumber industry was passed, as well as some further legislation to validate contracts made by certain municipalities with the Hydro-Electric Power Commission. An article reviewing the above was published in the *Labour Gazette* for August, 1908.

(F) *Manitoba Legislation*.—An amendment to the Mechanics' Lien Act, and an Act requiring power companies to take out licences from the government, together with an Act enabling rural municipalities to purchase seed grain, were the most important labour measures of the 1908 session of the Manitoba legislatures. They were reviewed in the *Labour Gazette* for April, 1908.

(G) *Saskatchewan Legislation*.—A Seed Grain Act was passed by the Saskatchewan legislature, and the Steam Boilers' Act was considerably amended. The most important legislation of the session, however, were the three acts providing for the establishment and operation of government and municipal telephone systems. A review of the above was published in the *Labour Gazette* for August, 1908.

(H) *Alberta Legislation*.—Acts were passed limiting the hours of labour below ground in coal mines, further limiting the employment of boys in coal mines and in other respects providing more stringent protection for employees in this industry. A Workmen's Compensation Act was passed, and the Mechanics'



Lien Act was considerably amended. The Steam Boilers' Act was also amended. A very important measure was an Act authorizing the government of Alberta to purchase, construct and operate telephone and telegraph systems in the province. An Act relating to commissions of inquiry was also passed, together with legislation relating to the purchase of seed grain. A review of this legislation was published in the *Labour Gazette* for June, 1908.

(1) *British Columbia Legislation*.—The most important Act of the session, having a direct bearing on the condition of labour, was a comprehensive Factories' Act. The Shops' Regulation Act was also amended, as was the Master and Servants' Act in the matter of deductions from wages. Other legislation of the session dealt with immigration, a "Natal" Act being passed; the protection of railway labour; the size of placer claims; and the taxation of canneries; all being reviewed in the *Labour Gazette* for April, 1908.

2. *The British Welcome League of Toronto*.—The first annual report of the British Welcome League of Toronto was made the subject of a special reference in the April, 1908, issue of the *Gazette*.

3. *The Women's Welcome Hostel of Toronto*.—In May, 1903, at a meeting of the National Council of Women, held in Toronto, Ont., it was decided to form an immigration committee for the purpose of securing lodgings and obtaining situations for women and girls coming as domestic servants to this country. It was decided to secure a suitable house in which to receive women immigrants, a grant of \$1,000 having been obtained from the legislature of Ontario. The hostel was formally inaugurated in 1906 and a description of its working methods and of the work covered up to the opening months of 1908 was published in the *Labour Gazette* for April, 1908.

4. *Bonus to employees at Merriton, Ont.*—Special reference was made in the April, 1908, *Gazette* to the action of the annual meeting of the Lincoln Paper Mills Company, Limited, of Merriton, Ont., in voting a bonus or gratuity to its employees amounting to six per cent. of their wages. This action was repeated in the following year and was recorded in the *Labour Gazette* for March, 1909. The average amount thus distributed to each employee was about \$35.00.

5. *Factory Inspection in Nova Scotia*.—In February, 1908, an inspector of industrial establishments, under the Factories' Act of Nova Scotia, was appointed. A special reference to the appointment and to the nature of the duties assumed by the officer was published in the May, 1908, issue of the *Labour Gazette*.

6. *The Penny Bank of Toronto*.—A special reference to the second annual report of the bank was published in the May, 1908, *Gazette*. The third annual report was reviewed in the *Labour Gazette* for December, 1908.

7. *The Vancouver Employers' Association*.—A report of the fourth annual meeting of this association, containing a reference to its operations and strength, was published in the May, 1908, *Gazette*.

8. *Employers' Liability on Railways in the United States*.—During April, 1908, the United States Congress assented to an Act relating to employers' liability on railways. A brief outline of the provisions of the Act, its origin and general significance, was published in the *Labour Gazette* for June, 1908.



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9. *Dominion Steel Workers' Mutual Benefit Society*.—A review of the second annual report of this society was published in the *Labour Gazette* for July, 1908.

10. *The Canadian Tobacco Industry*.—A special reference was published in the July, 1908, issue of the *Labour Gazette* to the action of the Canadian government in organizing a tobacco division of the Department of Agriculture in 1906 and in enlarging the same in 1908.

11. *The Teaching of Agriculture in Ontario*.—A special article dealing with the action of the Department of Agriculture, Ontario, in organizing a system of agricultural instruction for the province was published in the September, 1908, issue of the *Gazette*.

12. *The Destruction of Fernie, B.C.*—On August 1st and 2nd a disastrous forest fire swept over a portion of the Elk River Valley in East Kootenay, B.C., destroying the town of Fernie and causing the loss of 16 lives and of property estimated at a value of over \$2,500,000. A special article dealing with the disaster was published in the September, 1908, issue of the *Labour Gazette*.

13. *Important Meetings of Trades and Labour Congresses, Manufacturers' Associations and other Public Bodies*.—Special reports were published of the following meetings:—The twenty-fourth annual convention of the Trades and Labour Congress of Canada, held in Halifax, N.S., in September; the sixth annual convention of the National Trades and Labour Congress, held at Quebec, Que., during September; the twenty-seventh annual convention of the Canadian Manufacturers' Association, held at Montreal during September; the thirteenth annual meeting of the Grand Council of the Provincial Workmen's Association of Nova Scotia, held at Halifax, N.S., during September; the fourth annual meeting of the Fishermen's Union of Nova Scotia, held at Halifax, N.S., during September; the fourteenth annual meeting of the Maritime Board of Trade, held at Halifax, during August; the fourth annual convention of the Federation of Textile Workers of Canada, held in Montreal during September; the forty-third annual meeting of the Trades Union Congress of Great Britain, held at Nottingham, Eng., in September; the nineteenth annual convention of the Canadian Association of Stationary Engineers, held at Windsor, Ont., during August; the third annual meeting of the Iron Moulders' Conference Board of Ontario, held at Toronto during September; the annual convention of the Union of Manitoba Municipalities, held at Brandon, Man.; the third annual convention of the National Civic Federation of the United States, held in New York during December; the twenty-second annual convention of the International Association of Factory Inspectors, held at Toronto, in June 1908; the eleventh annual meeting of the Montreal Builder's Exchange, held in Montreal in January, 1909; the annual convention of the Union of British Columbia Municipalities, held at Vernon, B.C., in January; the annual meeting of the Canadian Association of Masters and Mates, held at Toronto in February, 1909; the seventh annual convention of District No. 18 of the United Mine Workers of America, held at Lethbridge, Alta., in February, 1909; and a special meeting of the Canadian Forestry Association, held at Toronto, in February, 1909.



Each of the above meetings was reported in some detail, copies of the various resolutions of the more important bodies being quoted. In addition, special reports of interviews of the Trades and Labour Congress of Canada and of the National Trades and Labour Congress of Canada with the Dominion government in January, 1909, and April, 1908, respectively, were published in the issues of the *Labour Gazette* for the following months. A report of an important interview of the British Columbia Executive of the Trades and Labour Congress of Canada with the Provincial Government was published in the *Labour Gazette* for March, 1909.

14. *Payment of Fair Wages.*—The City Council of Winnipeg during October revised the Fair Wages' clauses inserted in civic contracts. A special statement showing the nature of the modifications introduced was published in the *Labour Gazette* for November, 1908. In Great Britain, a special committee was appointed in 1907 to consider the working of the fair wages resolution of the British House of Commons, which dates from February, 1891. The report of this committee, issued in 1908, contained a number of important recommendations for the improvement of the methods of carrying out the terms of the resolution. In a special article published in the February, 1909, *Gazette*, the alleged defects of the present system as noted in the report, were set forth, together with the recommendations of the committee.

15. *The Cement Industry in Canada.*—A review of an article dealing with the cement industry in Canada, published in the *Monetary Times* of Toronto, was printed in the *Labour Gazette* for December, 1908.

16. *Unemployment in Great Britain.*—During the autumn of 1908 unemployment reached great proportions in Great Britain and special action was taken by the government looking to the alleviation of the situation. An article setting forth the action of the government and giving an outline of the general situation appeared in the *Labour Gazette* for December, 1908.

17. *Public Telephones in Saskatchewan.*—Extracts from a speech delivered by the Premier of the Province of Saskatchewan, outlining the policy of the government of that province with regard to public telephones, were printed in the December, 1908, issue of the *Labour Gazette*.

18. *The Canadian Brotherhood of Railway Employees.*—At a meeting, held at Moncton, N.B., during November, 1908, delegates from the various local unions of the International Brotherhood of Railway Employees throughout the Maritime Provinces and Quebec decided to sever their affiliation with that Order and to form a purely Canadian brotherhood of railway employees with headquarters at Halifax, N.S. A report of the meeting and of the resultant action appeared in the December, 1908, issue of the *Labour Gazette*.

19. *The National Federation of Women.*—In January, 1907, the National Federation of Women was founded at Montreal, Que. By May of the same year it had grown to 473 members. At the close of the year it was composed of nearly 800 members. An article descriptive of its objects and operations was published in the *Labour Gazette* for January, 1909.



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20. *The Movement for Cheaper Cablegrams.*—At the annual meeting of the Royal Colonial Institute, held in London, Eng., during 1908, the laying of a state-owned cable between Great Britain and Canada was advocated by the Honorable Rodolphe Lemieux, Postmaster-General for Canada. A brief description of the proposal of the Minister and of the objects such a cable might be expected to serve was published in the *Labour Gazette* for January, 1909.

21. *The International Harvester Company Employees' Benefit Association and Pension System.*—An employees' benefit association and a pension system were introduced among the employees of the International Harvest Company, both in the United States and Canada, on September 1, 1908. The *Labour Gazette* for January, 1909, gave a detailed description of both arrangements.

22. *Forestry in the University of New Brunswick.*—The University of New Brunswick began in 1908 a course in forestry to parallel courses previously established in civil and electrical engineering. A description of the course appeared in the *Labour Gazette* for January, 1909.

23. *Western Ontario Creameries and Cheese Factories.*—Statistics embodied in an address by the Chief Government Inspector for Western Ontario before a meeting of creamery and cheese factory proprietors of Western Ontario, held at Guelph, Ont., in December, were reprinted in the *Labour Gazette* for January, 1909.

24. *Coal Oil Investigation by the Manitoba Government.*—Owing to the occurrence in Manitoba of a number of deaths by the use of coal oil in starting fires, a searching investigation into the circumstances attending some of the deaths was undertaken by the Attorney-General of that province. A description of the method of the inquiry and the verdict of the coroner's jury in a test case were published in the *Labour Gazette* for January, 1909.

25. *The Draeger Rescue and Fire Fighting Apparatus.*—During 1908 the installation was completed at Glace Bay, N.S., by the Dominion Coal Company, of the first central "rescue" station equipped with oxygen-breathing fire fighting apparatus to be established on the North American continent. The object of the station is to provide the most efficient means known to modern science of combatting fires in coal mines. The Department obtained from Mr. W. F. Gray, of the Dominion Coal Company a special statement with respect to the establishment of the Glace Bay station. This was published in full in the *Labour Gazette* for January, 1909, together with a report of a fire which occurred at Sydney No. 1 mine on September 9, and which afforded an excellent demonstration of the usefulness of the apparatus.

26. *Prevention of Foot and Mouth Disease.*—In the month of November, 1908, an outbreak of foot and mouth disease in the United States considerably reduced the export of cattle industry of Canada. As soon as the presence of the disease became known, action was taken by the Canadian government to prevent infection in Canada. A descriptive article on the subject appeared in the January, 1909, issue of the *Labour Gazette*.

27. *The Canada Iron Corporation.*—A brief notice of the formation of this corporation was published in the *Labour Gazette* for January, 1909.



28. *The Smoke Nuisance*.—The text of an order issued by the Board of Railway Commissioners with reference to the abatement of the smoke nuisance in connection with the operation of locomotives in Ontario was published in the January, 1909, issue of the *Labour Gazette*.

29. *Municipal Power Development at Winnipeg, Man.*—An outline of the plans of the city of Winnipeg in connection with the development of hydraulic power on the Winnipeg River was given in the *Labour Gazette* for January, 1909.

30. *The Canning Industry of Ontario*.—A list of the canning companies operated in Ontario in 1908, furnished to the Department by the Chief Factories' Inspector of the province, was published in the *Labour Gazette* for January, 1909.

31. *Protection of Construction Employees on the Transcontinental Railway*.—With the intention of educating the workmen employed in connection with the construction of the National Transcontinental Railway as to the danger involved in the handling of explosives and care that is necessary in order to minimize such risks, a circular was sent out by the Chief Engineer of the Commissioners to the various contractors and sub-contractors engaged in the construction of the road. The contractors were urgently requested to give as much publicity as possible to the circular among the men in their employment engaged in the handling of explosives. A copy of the circular was published in the January, 1909, issue of the *Labour Gazette*.

32. *Protection of Railway Employees*.—An important order looking to the protection of railway hands, issued by the Board of Railway Commissioners for Canada in December, 1908, was reprinted in the *Labour Gazette* for January, 1909.

33. *The People's Bank of Levis, Que.*—The eighth annual report of this concern was reviewed in the *Labour Gazette* for February, 1909.

34. *Statistics re Intercolonial Railway Employees*.—Some statistics furnished to the House of Commons by the Honourable the Minister of Railways and Canals, re the number of employees and amount of pay-roll on the Intercolonial and Prince Edward Island Railway Systems, during 1908, were published in the *Labour Gazette* for March, 1909.

35. *The Minimum Wages' Act of New South Wales*.—A law was passed in New South Wales defining the minimum wages to be paid to employees in certain industries. The Act came into force on January 1, 1909, and an outline of its provisions was published in the March, 1909, *Gazette*.

36. *The Peat Fuel Industry in Canada*.—Extracts from a memorandum prepared by the Superintendent of Mines, and presented to the House of Commons by the Honourable the Minister of Public Works, giving information with respect to the peat fuel industry in Canada and its possibilities, were published in the *Labour Gazette* for March, 1909.

37. *Technical Education in Ontario through Public Libraries*.—The Education Department of Ontario established early in 1909 a system of travelling libraries with the object of promoting technical instruction among mechanics and



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artisans through the medium of the public libraries of the province. Full details of the arrangement were published in the *Labour Gazette* for March, 1909.

38. *The Department of Industries and Immigration of Nova Scotia.*—A brief description of the work of this Department, which was originally organized in October, 1907, was published in the *Labour Gazette* for March, 1909.

39. *Conservation of the Natural Resources of the Continent.*—Under date of February 1st, 1909, three commissioners were appointed, namely, Hon. Sydney Fisher, Minister of Agriculture; Hon. Clifford Sifton, and Mr. Henri S. Beland, M.D., M.P., of St. Joseph de Beauce, Que., to represent the government of Canada at a conference summoned by the President of the United States to meet at Washington, D.C., with a view to the preservation of the natural resources of this continent. The conference held sessions on February 18th and 19th. A review of the recommendations passed was published in the *Labour Gazette* for March, 1909.

40. *Public Ownership of Interior Elevators.*—In the *Labour Gazette* for March, March, 1909, a joint reply of the premiers of Alberta, Saskatchewan and Manitoba to representations made by the Interprovincial Council of Western Grain Growers' Associations in favour of a system of government ownership and operation of interior elevators was published. The pronouncement of the premiers was made after a number of conferences had been held with representatives of the grain growers.

41. *The Cobalt Mining Camp.*—Statistics showing the estimated output of this camp for 1908 were published in the *Labour Gazette* for March, 1909.

42. *Factory established by Trades and Labour Council of London, Ont.*—In order to furnish work to some portion of the unemployed union men of the city of London, Ont., the Trades and Labour Council opened a factory during the winter of 1908-09 for the manufacture of toys and other small articles out of waste material. A description of the scheme, together with a copy of the rules of the factory, was published in the March, 1909, issue of the *Labour Gazette*.

43. *Combines in Restraint of Trade.*—The text of a memorandum presented by a deputation to the Honourable the Minister of Finance and the Honourable the Minister of Trade and Commerce with a view to invoking the aid of the government in the control of combines was printed in the *Gazette* for March, 1909.

44. *Level Crossings.*—The text of certain general regulations with reference to level crossings as amended by the Board of Railway Commissioners in January, 1909, was published in the *Labour Gazette* for March, 1909.

45. *A special meeting of the Grand Council of the Provincial Workmen's Association,* held at Sydney, N.S., in February, 1909, was reported under a separate heading in the *Labour Gazette* for March, 1909.

46. *Steel Production in Nova Scotia.*—Statistics showing the production of iron and steel in Nova Scotia during 1908 were published in the February, 1909, issue of the *Labour Gazette*.



47. *The Wool Clip of Canada*.—Statistics collected by the live-stock branch of the Department of Agriculture, Canada, were quoted under a separate heading in the *Labour Gazette* for February, 1909.

48. *Labour Arbitration in Great Britain*.—In September, 1904, a new Court of Arbitration was constituted by the Labour Department of the Board of Trade of Great Britain with a view to increasing the useful influence which the Department has been able to exercise as a peace-maker in industrial disputes. A memorandum issued by the President of the Board of Trade, in which full details of the proposal were set forth, was republished in the *Labour Gazette* for October, 1908. In connection with the general scheme, regulations with regard to procedure to be followed in the appointment of courts of arbitration were drawn up by the British Board of Trade. These were also reprinted in full in the *Labour Gazette* for February, 1909.

49. *Progress on the National Transcontinental Railway*.—A return showing the progress made in connection with the laying and finishing of tracks up to the month of April, 1908, was presented to the House of Commons by the Honourable the Minister of Railways and Canals on April 18. In view of the importance attaching from the standpoint of industry and labour to the completion of this railway the statement was republished in the *Labour Gazette* for May, 1908.

50. In the January, 1909, issue of the *Labour Gazette* the usual annual review of industrial and labour conditions in Canada during the previous calendar year was published. The article contained concise and comprehensive statements under the following headings: General summary; immigration and colonization; wages and hours of labour; prices and cost of living; interruptions to industry; conditions in the following industries and trades: agriculture, fishing, lumbering, mining, manufacturing, railway construction, general transport, building, metal, woodworking, printing, clothing, leather, food and tobacco and unskilled labour; Canadian trade and revenue; labour legislation, proceedings of labour organizations, employers' associations, etc., notes. In the February, 1909, issue of the *Gazette* an excerpt was given from a similar article published in the British Board of Trade *Labour Gazette* on conditions of employment, wages, trade disputes, prices, etc., in Great Britain during the preceding calendar year.

51. *Food Prices in the Eastern Townships, Quebec*.—A schedule of food prices in the Eastern Township section of the Province of Quebec, prepared by the *Labour Gazette* for Sherbrooke, Que., and district, was published in the *Gazette* for February, 1909.

52. *Intercolonial and Prince Edward Island Railway Employees' Provident Fund*.—The main features of the first annual report relating to the operations of this fund were published in the *Labour Gazette* for October, 1908.

53. *First Aid to the Injured*.—The *Labour Gazette* for July, 1908, contained a descriptive article dealing with a system recently introduced by the Montreal Rolling Mills Company for the purpose of rendering first aid to workmen injured in its employ. The article was contributed by the Works' Assistant of the General Manager of the Company.



## Special Reviews.

Several publications received at the Department were reviewed in special articles as being of particular interest to industry and labour. The following list of publications was reviewed in this way:—

1 Reports of Mr. W. L. Mackenzie King, C.M.G., Deputy Minister of Labour, as Commissioner to enquire into the losses and damages sustained by the Chinese and Japanese population of the city of Vancouver, B.C., on the occasion of riots in that city during the month of September, 1907. The reports in each case set forth the proceedings of the Commissioner, the method followed in estimating the claims, the amount of the claims, and the extent of the damage. Correspondence between the Commissioner and representatives of the Chinese and Japanese governments was included in the reports.

2. An important work on British Columbia by Professor Albert Metin was specially reviewed in the *Labour Gazette* for May, 1908.

3. A review of a number of recent reports and maps of economic interest, issued by the Geological Survey of Canada in 1907-08 was published in the *Labour Gazette* for August, 1908.

4. A publication dealing with the mineral resources of Canada, issued by the *Canadian Mining Journal* to celebrate the visit of certain British and Continental mining engineers to Canada, was specially reviewed in the *Labour Gazette* for September, 1908. An important volume issued by the Department of Mines, Canada, on the mining and metallurgical industries of the Dominion, was also specially reviewed in the March, 1909, issue of the *Labour Gazette*.

5. A booklet issued to the public under the authority of the Right Honourable the Minister of Trade and Commerce, drawing attention to the provisions of the Government Annuities' Act, was reviewed in the *Labour Gazette* for December, 1908.

6. A paper written by the Comptroller of Railway Statistics of the Department of Railways and Canals, Canada, dealing with electric railway statistics, was reviewed in the *Labour Gazette* for December.

7. The leading features of the eighth annual report of the Department of Labour, Canada, were noted in a special article in the February, 1909, issue of the *Labour Gazette*.

8. The report of the Secretary of Commerce and Labour of the United States for 1908, dealing with immigration and naturalization, industrial conditions, manufactures, navigation, labour legislation, etc., was reviewed in the *Labour Gazette* for March, 1909.

9. A report of a British Royal Commission dealing with the subject of state afforestation was published in the March, 1909, issue of the *Labour Gazette*.

10. Statistics relating to farm land valuation and wages in Canada were quoted in the *Labour Gazette* for February, 1909.



11. In view of the number of fatalities which have recently resulted in connection with the handling of explosives, a notice issued in 1908 by the Cobalt Lake Mining Company to its employees was specially reviewed in the February, 1909, issue of the *Labour Gazette*.

12. A special review of the annual report of the coal mines branch of the Department of Public Works, Alberta, for 1907, was published in the *Labour Gazette* for October, 1908.

(3) STATISTICAL AND OTHER PERIODICALS RETURNS AND STATEMENTS.

(a) Changes in Rates of Wages and Hours of Labour, 1908.

The Department continued during the past year its arrangements for securing the publication of a detailed statistical record of current changes in rates of wages and hours of labour throughout Canada. As above mentioned, the opening article in each issue of the *Gazette* contains a brief reference to the more important changes of the preceding month. The final statement, however, of the Department in the matter is presented in the form of a series of quarterly articles dealing with changes during the first, second, third and fourth quarters of the year, respectively. The leading feature of these quarterly articles is a tabular statement in which are set forth full details with regard to every change concerning which the Department is able to obtain information, the table showing the class and number of employees affected by the change, the locality and exact nature of the change, the extent to which weekly earnings are affected thereby and the manner in which the change was brought about. Accompanying this statement an analysis is made of the aggregate effect of the changes in the several industries and trades, and a review presented of the outstanding features of the period covered.

It will be remembered that wages were upward in tendency during the first nine months of 1907 in a more marked degree than in any previous year since 1903. In the final quarter of 1907, however, a downward tendency prevailed, the cause being the falling-off in industrial activity resulting from the contemporary stringency in the money market. This tendency was continued throughout the winter and spring months of 1908, during which wages generally were stationary levels or were lower than at the corresponding period of the previous year. This was particularly true of the less skilled branches of employment. Railway construction contractors and other large employers of unskilled labour were able to obtain a plentiful supply of men at lower rates than in 1907, and the same conditions prevailed in almost equal degree in the lumbering and manufacturing industries. Skilled farm hands continued in demand at high rates, but the wages of inexperienced help were lower. On the other hand, a number of important increases were granted at different times in the year to railway and civic employees, and miners' wages were on the whole well maintained. In the building trades rates were firm in the larger centres, but declines were reported from the country districts. Other skilled trades, including the printing and clothing trades, reported a number of in-



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creases, though cotton mill employees had their wages cut ten per cent. The chief weakness in wages' schedules was evidenced as above mentioned during the winter and spring months of the year, during which unemployment was more extensive than in many years previous in Canada.

(b) Immigration and Colonization.

The Department continued the publication during the past year of the latest statistical information available from month to month with regard to immigration and colonization. Arrangements were entered into with the Department of the Interior during 1904, whereby official returns relating to immigrant arrivals, the number of homestead entries made, the nationality of the homesteaders, and the area of Dominion lands patented, are obtained, as soon as compiled, for insertion in the *Gazette*. As supplementary to this material, returns of land sales of various railway or other companies operating in Canada are published, as further illustrating the progress of settlement in the newer parts of the Dominion. Certain statistical information issued monthly by the Board of Trade of Great Britain, with reference to emigration from the United Kingdom to British North America, is also reviewed monthly. In a series of notes appended to the article various subjects of interest in connection with immigration are referred to, as for example, the immigration operations of the Salvation Army and other agencies engaged in bringing immigrants to Canada, the proceedings of immigration and colonization societies, special circumstances or features in connection with the distribution of immigrants, etc., etc.

For several years past one of the most important features affecting economical and industrial conditions throughout Canada has been the unprecedented influx of immigrants from Great Britain and the United States. This influx reached its height in 1907, in which the total number of immigrants entering Canada was 277,376, an increase of 28 per cent. as compared with the returns for 1906. During the past calendar year a considerable falling off from this total was recorded, the returns showing a decrease of approximately 48 per cent. This was almost wholly in the number of arrivals from Great Britain and other European countries; arrivals from the United States having shown a comparatively small decline. Homestead entries showed a net increase for the year 1908 of 9,144, the number in 1908 being 38,559, and in 1907, 29,415.

For the fiscal year ended March 31 last the total number of immigrants coming to Canada was 146,908, compared with 262,469 in the preceding year, while the number of homestead entries was 39,081, compared with 30,424 in the preceding year.

The falling off in immigrant arrivals above referred to was largely the result of the restrictions on immigration imposed by the Canadian Government in the opening months of 1908 and renewed at intervals thereafter, in view of the overstocked condition of the labour market following the financial stringency of the autumn of 1907. The text of the various orders in council issued by the Government in this connection was published in the *Labour Gazette*. The *Gazette* also published in full an order in council defining the obligations



of hotel and boarding-house keepers towards immigrants, and certain regulations and instructions issued by the government during the summer months of 1908 to ensure a rigorous enforcement of the law with respect to the admission of immigrants to Canada and the prohibition of certain classes. The instructions were specially directed to the various inspectors of the Government, a considerable addition in the number of which was made during 1908.

#### (c) Industrial Accidents.

For some years past a current record of industrial accidents has been kept by the Department. The record includes all accidents known to have been sustained throughout the Dominion by workmen in the course of their employment, and resulting in the loss of life or limb or other serious impairment of their industrial efficiency. A descriptive article based on this record is published monthly in the *Labour Gazette*, an analysis being given of the accidents of the previous month, classified according to the industries and trades in which the victims were engaged, with comparative returns for the preceding month and the corresponding month of the preceding year. A statement as to the ages of the victims is also given in so far as information is available. With the article is given a table of the fatal accidents of the month, classified according to industries and trades, and with details relating to the locality, the date and the cause or nature of each accident. Disasters involving the loss of more than one life are briefly described under separate headings. The record is based on information received from the correspondents to the *Labour Gazette*, from provincial inspectors of factories and mines, from the secretary of the Ontario Railway and Municipal Board, and from other authorities. The clipping bureau of the Department is also extensively utilized as indicating sources from which detailed and authentic information may be obtained.

An exhaustive analysis of the departmental record of industrial accidents, both fatal and non-fatal, during 1908, is published as a separate chapter of the present volume.

#### (d) Trade Disputes.

A monthly article dealing in detail with strikes and lock-outs throughout the Dominion was continued in the *Labour Gazette* during the past year, the form and scope being unchanged from previous years. The leading feature of the article is a statistical table embodying in the case of each labour dispute full details with regard to the number of employees affected, the locality, cause, duration, and result of the dispute. The disputes are classified according to the industries or trades in which they occur, and are further grouped in the table according as they begin during the month under review or prior to the beginning of that month. Accompanying the table is a brief description of each dispute. In order to show at a glance the full significance of the detailed tabular statement a series of brief statistical statements are presented in which the disputes are analysed according to trades, provinces, causes, methods of settlement and results, together with an estimate of the approximate number of workmen affected and the aggregate loss occasioned in working days.



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An analysis and review of the trade disputes occurring during the calendar year 1908 was published in the January, 1909, issue of the *Labour Gazette*. It was shown that there had been a very large decrease in the number of trade disputes occurring in Canada during 1908, compared with any of the seven preceding years of which the Department has a record. The total number of disputes in 1908 was 69, whereas the number in 1907 was 149, and in 1906, 138, the next lowest being in 1905, when 87 disputes occurred. Owing, however, to two strikes involving a large number of employees, namely, a strike of machinists and carmen on the Canadian Pacific Railway system and a strike of cotton mill hands in the province of Quebec, the decrease in the number of workpeople concerned in these disputes did not correspond with the reduction in the number of disturbances and there was actually a large increase compared with previous years in the loss of time in working days. Approximately 26,232 employees were affected by trade disputes in 1908, compared with 34,694 in 1907. The loss of time in working days was 708,194 in 1908, compared with 603,986 in 1907 and 489,775 in 1906.

(e) Recent Industrial Agreements.

Since the year 1906 the Department has published from time to time in the *Labour Gazette* the text of important agreements concluded between employers and employees in different industries and trades throughout Canada. It has been the practice to secure copies wherever possible of all formal arrangements of this character, inasmuch as the agreements in question not only contain a large body of information of a detailed character as to working methods and scales of remuneration in different branches of industry, but afford a useful and practical guide in the arrangement of other schedules and the settlements of disputes. A reference to the agreements effected under the Industrial Disputes Investigation Act, 1907, and published in the *Labour Gazette* has been made in preceding pages. In addition, the following agreements were published in the *Labour Gazette* during the fiscal year under the heading "Recent Industrial Agreements":—

1. Agreement between the Master Plumbers' and Fitters' Association of Toronto, Ont., and the Journeymen Plumbers, Gas and Steamfitters, known as Local Union No. 46.
2. Agreement between the various restaurant and hotel keepers and the local Hotel and Restaurant Employees' Union of Victoria, B.C.
3. Agreement between the Halifax and Southwestern Railway Company, Nova Scotia, and its maintenance-of-way employees, effective April 1st, 1908.
4. Agreement between the Dominion Atlantic Railway Company, Nova Scotia, and its maintenance-of-way employees, effective February 1, 1908.
5. Rules and rates of pay for telegraphers in the Intercolonial and Prince Edward Island, effective April 1, 1908.
6. Agreement between the longshoremen of Prescott, Ont., and their employers, effective July 30, 1908.
7. Agreement between steamship lines and longshoremen of St. John, N.B., effective September 9, 1908.



The report of an agreement reached between the shipping companies of Montreal, Que., and the longshoremen of that port with the assistance of the Honourable Rodolphe Lemieux, then Minister of Labour, was published under a separate heading in the *Labour Gazette* for May, 1908. The agreement was based on the terms arranged for the preceding season by the aid of a Board of Conciliation and Investigation established under the Industrial Disputes Investigation Act. The article also contained the text of a letter of thanks dated May 1, 1908, addressed to the Minister by the Corresponding Secretary of the Longshoremen's Union of Montreal.

(f) **Reviews of Official Reports and Blue Books.**

In addition to the publications mentioned above, as having been specially reviewed in the *Gazette*, a considerable number of official reports and blue-books containing information of interest from the standpoint of industry and labour were reviewed, as in previous years, under the heading "Reports of Departments and Bureaus" which appeared in each issue of the *Labour Gazette*. A complete list of these reports, classified according to the governments by which they were issued, is given below. It will be seen that among the publications which were noticed in this way were twenty-two issued by the Dominion of Canada; twenty-three issued by the various provinces of the Dominion; thirteen issued by Great Britain; one each by Western Australia and by New Zealand; fourteen by the United States; and one by Germany and by Belgium respectively.

CANADA.

1. Census and Statistics; Bulletin V; Agricultural Census of Ontario, Quebec and the Maritime Provinces, 1907.
2. Report of the Civil Service Commission, 1908.
3. Abstract of Insurance Companies in Canada for the year ended December 31, 1907.
4. Summary report of the Mines' Branch for the fiscal year 1907-08.
5. Report of the British Columbia Fisheries' Commission, 1907; Department of Marine and Fisheries.
6. List of shipping, issued by the Department of Marine and Fisheries, for year ended December 31, 1907.
7. Census and Statistics; Bulletin VI; Immigrants of the Agricultural Class in the Northwest Provinces, 1908.
9. Report of the Superintendent of Insurance of the Dominion of Canada for year ended December 31, 1907.
10. Special Report of the Commissioner of the Yukon Territory, *re* industrial conditions, for year ended March 31, 1908.
11. Canal Statistics for the season of navigation 1907.
12. Report of the Secretary of State for Canada, *re* industrial investments for the year ended December 31, 1907.
13. Report of the Postmaster General for year ended March 31, 1908.
14. Tables of the Trade and Navigation of the Dominion of Canada, for the fiscal year ended March 31, 1908.
15. Annual report of the Department of Indian Affairs, 1908.



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16. Report of the Minister of Justice as to Penitentiaries of Canada for the fiscal year, 1908.
17. Report of the Dairy and Cold Storage Commissioner, for the year ended March 31, 1908.
18. Report of the Department of Railways and Canals for fiscal year ended March 31, 1908.
19. Report of the Department of Public Works for the fiscal year ended March 31, 1908.
20. Report of the Department of Marine and Fisheries. 1907-08. Fisheries.
21. Census and Statistics; Bulletin VIII; Longevity and sanitation, 1908.
22. Report of the Inspector of British Immigrant Children and Receiving Homes for the year ended March 31, 1908.

*NOVA SCOTIA.*

1. Report of the Department of Mines, Nova Scotia, for the year ended September 30, 1907.
2. Annual report of the Secretary of Agriculture, Nova Scotia, 1908.
3. Report of the Subsidized Railways and other Public Works, Nova Scotia, for the year ended September 30, 1907.
4. Report of the Secretary of Industries and Immigration, Nova Scotia, 1908.

*NEW BRUNSWICK.*

1. Report on Agriculture for the Province of New Brunswick for the year 1907.

*QUEBEC.*

1. Report of the Minister of Public Works and Labour, Quebec, for the year ending June 30, 1907, *re* industrial conditions in Quebec.

*ONTARIO.*

1. Eighth annual report of the Bureau of Labour, Ontario, for the year ending December 31, 1907.
2. Report of the Special Committee on Prison Labour, 1908.
3. Second annual report of the Ontario Railway and Municipal Board to December 31, 1907.
4. Annual report of the Inspector of Technical Education, 1907.
5. First annual report of the Game and Fisheries of Ontario, 1907.
6. Fifteenth annual report of Neglected and Dependent Children of Ontario for 1907.
7. Fortieth annual report of the Inspector of Prisons and Public Charities upon the goals of the Province of Ontario, 1907.
8. Sixth annual report of the Temiskaming and Northern Ontario Railway Commission for the year ending December 31, 1907.
9. Twentieth report of the Inspectors of Factories for 1907.
10. Annual report of the Bureau of Industries for the Province of Ontario for 1907.
11. Seventeenth annual report of the Ontario Bureau of Mines, 1908.
12. Report relating to the registration of births, marriages and deaths in the Province of Ontario for the year ending December 31, 1906.



*MANITOBA.*

1. Report of the Beef Commission appointed to inquire into the purchase and sale of cattle, hogs, sheep and meat in the Provinces of Manitoba and Alberta, 1908.
2. Report of the Department of Public Works, Manitoba, for the year ending December 31, 1907.

*SASKATCHEWAN.*

1. Report of Mr. Francis Dagger *re* telephone service in the Province of Saskatchewan, Department of Railways, 1908.
2. Report of the Department of Public Works, Saskatchewan, for financial year ending February 29, 1908.

*ALBERTA.*

1. Annual report of the Department of Public Works of the Province of Alberta for 1907.

*GREAT BRITAIN.*

1. Report of the Secretary of State for the Home Department on the Wages Board and Industrial Conciliation and Arbitration Acts of Australia and New Zealand, 1908.
2. Report of an enquiry by the Board of Trade into working class rents, rates of wages, etc., in the principal industrial towns of Germany.
3. Report on changes in rates of wages and hours of labour in the United Kingdom, 1898-1906.
4. Return *re* unemployment in England and Wales during the year ended March 31, 1908.
5. General report of the Board of Trade upon accidents that have occurred on railways in the United Kingdom during 1907.
6. Mines and quarries: General report and statistics for 1907, Part II.
7. Annual statement of the trade of the United Kingdom with Foreign Countries and British Possessions, 1907.
8. Report on the employment of children in the United Kingdom.
9. Twelfth abstract of labour statistics of the United Kingdom for 1906-07.
10. Report of the Local Government Board for Scotland, *re* unemployment in Scotland during the year ended May 15, 1908.
11. Thirteenth annual report of the Chief Registrar of Friendly Societies for the year 1907.
12. Report from the Select Committee of Home Work together with the proceedings of the Committee, 1908.
13. Report on the administration of Labour Laws in the United Kingdom, 1906.

*WESTERN AUSTRALIA.*

1. Report by the Superintendent of the Labour Bureau of Western Australia for the year ending December 31, 1908.



*NEW ZEALAND.*

1. Seventeenth annual report of the Department of Labour of New Zealand for the year ended March 31, 1908.

*UNITED STATES.*

1. First annual report on the State Free Employment Offices of Massachusetts for the fiscal year ended November 30, 1907.
2. Twenty-first annual report of the Bureau of Industry and Labour Statistics for the State of Maine, 1907.
3. Twenty-third annual report of the Bureau of Labour and Industry of the State of Kansas for 1907.
4. First report, Bureau of Labour Statistics. Industrial Accidents in Illinois for six months ending December 31, 1907.
5. Bulletin of the Bureau of Labour, No. 77, July, 1908, Washington, D.C.
6. Seventh biennial report of the Bureau of Labour of the State of New Hampshire, 1908.
7. Twenty-second annual report of the statistics of manufactures in the State of Massachusetts, for 1907.
8. Thirteenth biennial report of the Bureau of Labour and Industrial Statistics of Wisconsin. Part III, Industrial Hygiene and the Police Power.
9. Annual report of the Commissioner of Corporation to the Secretary of Commerce and Labour for the year ended June 30, 1908.
10. Twelfth biennial report of the Bureau of Statistics of the State of Indiana for 1907 and 1908.
11. Eleventh annual report of the Bureau of Labour and Industrial Statistics for the State of Virginia for 1908.
12. Thirteenth annual report of the Bureau of Labour Statistics for the State of Iowa for the biennial period, 1906-07.
13. Twenty-fourth annual report of the Bureau of Labour and Industry of the State of Kansas for 1908.
14. Twenty-fourth annual report of the Department of Inspection of Workshops, Factories and Public Buildings of Ohio for 1907.

*GERMANY.*

1. Report of the Imperial Statistical Bureau of Germany, 1890, on the Bureaus of Labour Statistics in the principal countries of the world.

*BELGIUM.*

1. Rates of wages and hours of labour in the metal trades in Belgium, 1903. Department of Industry and Labour.

Other reports to the number of 136 were received by the Department during the year and were noted in the *Labour Gazette* though not reviewed at length.



## (g) Legal Decisions Affecting Labour.

Ever since the establishment of the *Labour Gazette* in 1900, a separate department of the journal has been devoted to the recording of current legal decisions affecting labour. In the issues which appeared during the fiscal year 1908-09, there were, altogether, 204 legal decisions recorded in this way, a statement being given in each case of the more important points at issue, the nature and effect of the decision, the court in which the case was tried, the time and place of the decision, and the name of the presiding judge and of the plaintiff and defendant. Included among the cases cited were a number which came before British or United States courts but which were of interest on account of the principles involved to the industrial public of Canada.

Among the more important decisions of which a detailed report appeared in the *Labour Gazette* were the following: In September, 1907, His Honour Judge Choquette rendered an important decision in the Court of Special Sessions at Montreal, in the matter of a prosecution instituted under the Alien Labour Act against the Dominion Car and Foundry Company. The company was charged with having brought labourers to Canada in contravention of the Act, and in defence pleaded that its establishment was a new industry and that the skilled labour for it could not be obtained in Canada. The judgment of the court was in favour of the defence. Settlement was also made during the year by the Judicial Committee of the Privy Council, and subsequently by negotiations between the parties, of the long-standing controversy between the Sheet Metal Workers' Union of Toronto and the Metallic Roofing Company, the decision of the committee being in favour of the men. In connection with the dispute within the ranks of the Provincial Workmen's Association of Nova Scotia on the subject of the affiliation of branches of the association with the United Mine Workers of America, several suits were instituted which were duly reported in the Gazette. Another very important decision of the year was that of Mr. Justice Mather, of Winnipeg, in an action brought by the Master Plumbers of that city against the members of the local Journeymen Plumbers, Gas and Steam Fitters' Unions, for damages caused by the defendants in preventing the plaintiffs from getting men to work for them, in preventing other men from entering the plaintiff's employment, and inducing men in the employment of the plaintiffs to leave the same. The judge awarded damages to the extent of \$2,000 and costs. In the same city the fair wages clauses endorsed by the municipal authorities were declared in the High Court of Manitoba on November 6 to be illegal. Other important decisions of the year included that of the Privy Council in connection with the case of the Dominion Coal Company vs. the Dominion Iron and Steel Company and that of the same tribunal enforcing a second-class fare of two cents per mile between Toronto and Montreal on the Grand Trunk Railway system. In British Columbia the validity of the "Natal" Act was subjected to legal test and the measure was declared *ultra vires*.

Among the British cases reported in the *Gazette* the most important was that of Osborne vs. the Amalgamated Society of Railway Servants. The point



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involved was the extent to which the funds of trade unions may be used for political purposes; it may be stated that since the Taff-Vale case no other decision of equal importance has been given as affecting the position of trade union funds before the law in England.

In the United States the sentencing of the president, vice-president and secretary of the American Federation of Labour to imprisonment for contempt of court, a sentence against which appeal was entered, was of great interest to labour in Canada, and a full statement of the issues involved was published in the *Labour Gazette* for January, 1909.

Among other subjects dealt with in the legal decisions reported in the *Labour Gazette* mention may be made of the following:—Employers' liability and workmen's compensation for injuries; violations of the Alien Labour Act; the protection of wages; the liability of directors of companies for wages; the responsibility of railway employees; violations of the Lord's Day Act; violations of the Scott Act by employees; the defamation of employees' character by employers; rights of strikers; observance of fair wages clauses; the legality of picketing; violation of the factories' acts; frauds of employment agencies; improper marking of fruit; contributory negligence; liability of trade unions; wrongful dismissal; rights of apprentices; combines in restraint of trade, enforcement of mechanics' liens; the application of Master and Servants' Acts; desertion of employment, etc., etc.

(h) Fair Wages Schedules in Government Contracts.

The *Labour Gazette* contained each month copies of the fair wage schedules prepared by the officers of the Department and inserted in contracts by the different departments of the Dominion government during the month preceding the date of the issue. Altogether 134 schedules of wages were published in this way during the year. Apart from its immediate significance, the information set forth in these tables as to the rates of wages prevailing in the building trades and other occupations in different parts of the Dominion was of general interest.



## II.—THE INDUSTRIAL DISPUTES INVESTIGATION ACT.

The measure to the consideration of which the present chapter is devoted became law on March 22, 1907, so that to the close of the fiscal year ended March 31, 1909, the Act had been in practical operation for two years, and it is possible to place some estimate on its value as a factor in the adjustment of industrial disputes.

Until human nature has advanced several steps further towards that enlightenment which alone will afford complete harmony it is to be feared that, whether in the relations between man and man or as between nation and nation, absolute peace will be long in coming. Canada cannot hope to rise above the level of humanity. Meanwhile, every agency having as its object the lessening of strife in any form, and the adoption of practical methods to that end must surely be regarded as a definite step in advance. From this point of view it is believed the Industrial Disputes Investigation Act, 1907, viewed either as to its object and the machinery by which it is sought to attain that object, or as to its actual achievements during the two years of its life, will be generally accepted as a contribution of great and permanent value, and as a factor of the highest importance in the promotion of industrial peace.

The Act is practical because it does not seek to deprive men of the right to strike, or the employer of the right to lock out, under all conceivable circumstances. It is recognized that in the ultimate resort and at the present stage of human development there may, to those concerned, sometimes appear no other way out. The Act has, therefore, declared that in certain industries there can be lawfully no strike or lockout until after the dispute has been referred under the Act to a Board of Conciliation and Investigation established to adjust the same. If the attempt to effect an adjustment succeeds the strike or lockout is averted. If not, and it is so desired by the parties, the ancient method of appeal to strike or lockout is still available. It is true that some communities, Australia and New Zealand notably, have declared strikes illegal under any circumstances, but as the record shows, such laws have not prevented strikes, though concurrent legislation in these countries looking to the settlement of disputes by conciliation has combined with the measures of prohibition in greatly lessening their number.

### TWENTIETH CENTURY PROGRESS.

We move quickly in these days, however, and it may be possible that sooner than many have expected the strike may be abandoned as a weapon, for the reason that those who have felt compelled to use it have found less clumsy and primitive methods to rectify their grievances. Arbitration, conciliation, co-operation, profit-sharing are all making in the same direction and will aid each other in the advance to the goal sought universally. Lord Morley



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has observed: "People seldom realize the enormous period of time which each change in men's ideas requires for its full accomplishment." The English statesman and scholar was referring at the time to events that had happened rather than to those that might happen, and he was urging that we should correct our impatience at what may seem to be slow progress of the present by looking back at the past. But Lord Morley wrote his essay on "Compromise," from which the sentence is taken, a generation ago, and since then a lightning press has encircled the world, and nations at opposite ends of the earth are exchanging thoughts with a degree of swiftness and intelligence that does not yet cease to amaze and impress those who reflect upon it. The problem, too, on which the leaders of the race in all lands are now concentrating their thoughts with an intensity of purpose never known to be equalled is that of the general betterment of the working classes, with which is of necessity inextricably interwoven the question of industrial peace. It is possible, therefore, that the speed with which great movements have progressed and vast social reforms have been accomplished in the past may be no criterion of what the future will witness. It is at least a moment of great transition, and though the future cannot be forecast, yet history will doubtless repeat itself in this, that the reality will far surpass the dreams of the imagination.

## RECORD OF THE ACT.

If we turn to the actual record of the Act under discussion it is found that during the two years of its existence there have been fifty-five disputes referred under its provisions, thirty in the fiscal year 1907-08 and twenty-five in the fiscal year 1908-09, in each of which it was declared under oath that a strike or lockout would occur unless a settlement was effected as a result of this reference. As a result of these, fifty-five references, forty-nine Boards of Conciliation and Investigation were established. In the six remaining cases settlements were effected either during the formation of the Board or during the discussion arising out of the application and in any case as a direct result, it may be confidently stated, of the influence of the Act. In two cases only of the fifty-five referred, one in each of the two years concerned, did the threatened strike or lockout actually occur after an inquiry had been made. To these exceptions reference will be made later.

## A CONTRACT AND A LESSON.

It is fairly well understood by this time that this Act refers in the first place only to public utility industries and to mines. It is disputes in these industries which chiefly menace the public weal and may bring inconvenience, disaster and distress if long continued, not only or perhaps not even mainly on those directly concerned in the struggle, but on whole communities. An object lesson was to be found shortly after the close of the fiscal year in the street railway strike in Philadelphia. Here is a city covering an area so vast that transit by street railway is practically a necessity of life and when a sudden cessation of traffic means unfailing and immediate loss and suffering



to scores of thousands. The company endeavoured to run a number of cars in spite of the strike with the result that disorder and riot occurred. There were ten days of turmoil and excitement, police and soldiers were on day and night duty. Numerous street battles were fought, in the chief of which a hundred people were wounded. It was real civil war on a small scale. Then the two parties began to see what each other wanted. saner methods prevailed, and the strike was settled.

At the very time the street railway employees and their sympathizers were fighting the police and the soldiers in the streets of Philadelphia, the street railway men of Winnipeg were engaged in a struggle with the Electric Railway Company of that city. The methods were, however, very different. In the Canadian city a Board was in session from day to day for a couple of weeks hearing evidence formally or informally, as its members pleased, as to all the points in controversy. In the chair was a Presbyterian Divine, more widely known in his character as a great Canadian novelist, author of "The Sky Pilot" and other famous stories. On one side of the celebrated Ralph Connor sat a gentleman prominent in the business world of Winnipeg; on the other side of the chairman sat a well known labour leader of trained mind and moderate judgment. The two gentlemen last indicated were the nominees respectively of the Company and the employees; the Chairman was appointed by the Minister of Labour, the other members having failed within a given number of days to recommend jointly a third member, who under the Act would have been Chairman. The Board had all the powers of a Court, though its procedure was on informal lines. This organization was fairly representative of the larger number of Boards which during the last two years have played an effective part in the settlement of industrial disputes in Canada.

It was no easy task to adjust the points of difference in this particular case at Winnipeg, and if the Board had not been composed of men of tact and wisdom and patience no doubt the task would have been given up and the cars outside would have stopped running and the streets would have become the scene of disorder similar to that witnessed in Philadelphia. By persisting, the Winnipeg Board secured an agreement which was satisfactory to both the Company and employees, achieving without the loss of a dollar or the shadow of disturbance, precisely the same result as was brought about in Philadelphia after heavy financial losses and much actual bloodshed. One may be pardoned for pointing the contrast and dwelling on the advantage of the methods offered by the Canadian Act.

#### EXCEPTIONS TO THE RULE.

It may be urged, having in mind the two strikes above mentioned, the coal mining strike in Nova Scotia in 1907, and the C. P. R. machinists' strike in 1908, that the law does not invariably succeed. This, however, was hardly to be expected, and as has been pointed out in the introductory article to the present volume, it is only claimed for the measure that it is, as its title declares, "an act to *aid* in the prevention and settlement of strikes, etc." The cases cited are obvious exceptions to the rule and are attributable, moreover, in



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part to the newness of the law. The two instances in which the Act failed to avert the threatened strike were (1) that of the 1,700 miners employed by the Cumberland Railway and Coal Company, of Springhill, N.S., and (2) that of the machinists in the employ of the Canadian Pacific Railway. In the first case, the dispute was one of a long series of differences between the company and its employees, which had, as a rule, been settled by strikes, and the principle of settlement along other lines was one of some novelty to the men. When an award was given which was favorable to the Company on one of the two points submitted and favorable to the men on the other point, it was apparently believed that by striking the point on which the Board had decided against them could still be won. Those favouring this course ignored the fact that by means of the Act they had been able to secure a very searching and thorough investigation in which the employer and the men had been face to face and had freely and informally examined each other and been examined by the Board during many days and that the decision against which they contended had been reached as the result of the most careful deliberations. That strike lasted from August 1 to October 31, when the men returned to work on precisely the terms recommended by the Board, and these terms have remained in force ever since. This strike occurred during the fiscal year 1907-08 and was fully discussed in the annual report of that year.

The second case in which the Act failed to avert a strike after its machinery had been fully and fairly invoked was that during the past fiscal year on the part of the machinists employed by the Canadian Pacific Railway Company. In this case the enquiry was of an exceptionally prolonged nature and was marked by the unusual incident of one of the parties withdrawing from the proceedings at one stage on account of a ruling of the Chairman. The incident served in a manner to illustrate the effectiveness and fairness of the spirit and method of the Act, since the Board as reconstituted by the Minister found ultimately in favour of the party which had withdrawn from the proceedings. The men concerned numbered above 8,000 and the dispute extended throughout the length and breadth of the Canadian Pacific Railway. The findings of the Board were signed by two members and a minority report was forwarded by the third member, the nominee, namely, of the employees. The findings of the Board were by no means wholly in favour of the company, the men having secured several very important points, and the company accepting the findings only under protest. The men, however, or their leaders considered the points gained insufficient. The particular points of disagreement will be found by a comparison of the reports as printed in the appendix to the present volume. A strike was accordingly declared early in the month of August. The time was undoubtedly favourable from the point of view of the men, it being almost the beginning of the harvest season, a period when practically every piece of rolling stock is needed for the transportation of grain. The management of the railway was no doubt seriously inconvenienced, but it does not appear that the public interests suffered materially at any time. On the other hand, it is represented that the men fell into considerable distress. Assistance that had been expected from different sources did not come to hand, and the



strike pay was limited. Mr. James H. McVety, "Secretary of the Strike Federation," reviewing the struggle when it had closed, said in a statement over his name in *The Voice*, a labour organ published in Winnipeg:—

"The laws of the country were not enforced, the mandates of the railway commission were disregarded, and if the government had publicly stated their intention of supporting the company very little more practical assistance could have been given.

"During the strike many efforts towards mediation were made by ministers of the government and ministers of the Gospel, boards of trade and boards of control, politicians and political aspirants, but the Company maintained their non-committal attitude and asserted their ability to handle their own affairs.

"The proximity of the election day still spurred the politicians to further activity and after a lot of parleying a chance of restoring 80 per cent. of the men to work immediately was offered by the President of the Company through the Provincial Government of Manitoba, and they agreed to stand sponsors for the fulfilment of the contract.

"Knowing the terrible conditions of the membership, 6,500 of whom had received less than \$2.00 apiece during the two months of the strike, and being aware that the Company apparently had sufficient men to operate trains, the committee considered that this was the best that could be got under the circumstances, and decided to accept the terms offered in the belief that the preservation of the organizations was of great importance, and knowing that the daily increasing number of unemployed would enable the Company to carry on the fight indefinitely and result in the men being ultimately starved into submission.

"The strike was declared off and the membership are now working under the 1907 schedules, with the changes made by the report of the board."

The strike was brought to a close early in October, having existed about two months. The men returned to work as in the case of the strikers at Springhill a year earlier, on the terms laid down by the Board to which the dispute had been referred, the Company agreeing to take on as many as possible at once and to re-engage others as vacancies occurred. It was a considerable time, however, before all those who had gone on strike were back at work. Moreover, the strikers were declared by the Company to have lost their claims on the Company's pension system. When, at the beginning of April of the present year, the agreement came up again for renewal, it was, after considerable discussion continued on substantially the same lines.

These two disastrous strikes, following what appears to have been in each case a searching enquiry and an impartial deliverance and resulting in a complete acceptance of the decision that had been contested, can hardly fail to have been valuable object lessons of the futility of striking to secure more than can be obtained by fair negotiations.

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\*The street railway dispute at Winnipeg referred to earlier in the present chapter did not occur until after the close of the financial year 1908-09 and is not therefore included in the list.



## SESSIONAL PAPER No. 36

## STRIKES AND LOCKOUTS PREVENTED BY ACT.

Against the two instances, one in the case of coal miners, the other in the case of railway machinists, in which, in the course of two years, strikes occurred in spite of the operation of the Act, may be set the following list of disputes in which during the same time after a reference under the terms, no strike occurred, viz.:—

Coal Miners .. . . .	25
Metalliferous mines .. . . .	4
Railway telegraphers .. . . .	5
Locomotive engineers .. . . .	2
Railway carmen .. . . .	3
Railway machinists .. . . .	1
Railway freight clerks .. . . .	1
Railway firemen and engineers .. . . .	2
Railway freight handlers .. . . .	1
Street railways (Hamilton, Ottawa and Quebec) .. . . .	3
Longshoremen (Halifax and Montreal) .. . . .	2
Sailors .. . . .	1
Teamsters .. . . .	1
Textile workers .. . . .	1
Boot and shoe workers .. . . .	1
	—
Total strikes averted .. . . .	53

## DETAILED STATEMENT OF OPERATIONS.

The following statement covers the operations of the Act from the date of its enactment, March 22, 1907, to March 31, 1909, representing the first two years of the life of the Statute. As between the two years included in the statement the disputes in connection with which proceedings took place were divided as follows:—From March 22, 1907, to March 31, 1908, thirty-five; from March 31, 1908, to March 31, 1909, twenty. One strike occurred in each year as set forth above, after an investigation by the Board. Between March 22, 1907, and March 31, 1909, also, six applications, in addition to these indicated above, were received which related to industries other than public utilities and in which Boards could only be established, therefore, by consent of all parties concerned. In these six cases such consent was not obtained, so that further action by the Department was not possible. Correspondence was also exchanged between the Department and those concerned in different disputes in which, however, the circumstances did not call for any formal procedure.



DEPARTMENT OF LABOUR, CANADA.  
STATISTICAL TABLES, IX., A. R. No. 2.

INDUSTRIAL DISPUTES INVESTIGATION ACT, 1907.

TABLE SHOWING PROCEEDINGS UNDER ACT FROM MARCH 22, 1907, TO MARCH 31, 1909

Applications concerning disputes in mines and public utilities.								Application concerning disputes in industries other than mines and public utilities. 2	Total applications under Act. 55
53									
		Concerning mines and smelters.	Concerning transportation and communication.					Disputes referred by consent of parties concerned under sec. 63 of I. D. I. Act., 1907. 2	55
		30	23						
		Coal Mines.	Metalliferous Mines	Railways.	Street Railways.	Long-shoremen.	Teams- ters.	Sailors.	
*Strikes averted or ended.....	25	4	15	3	2	1	1	2	53
Strikes not averted or ended..	1	0	1	0	0	0	0	0	2

\* On the close of the financial year results were still pending in connection with four applications, viz: (1) application made on behalf of the commercial telegraphers employed on the lines of the Michigan Central Railway Company in Canada regarding matters in dispute with the Great North Western Telegraph Company; (2) application made on behalf of employees of the Manitoba Cartage Company, Limited, of Winnipeg; (3) application made on behalf of the station and telegraph employees of the Kingston and Pembroke Railway Company; (4) application made on behalf of certain employees of the Dominion Coal Company of Glace Bay, Cape Breton.



APPLICATIONS FOR BOARDS OF CONCILIATION AND INVESTIGATION.

A.—MINES, AGENCIES OF TRANSPORTATION AND COMMUNICATION, AND OTHER PUBLIC UTILITIES.

- 1. Appointed by the Minister, under sec. 8, sub-sec. 1, of the I. D. I. Act, on recommendation from party concerned.
- 2. Appointed by the Minister, under sec. 8, sub-sec. 2, of the I. D. I. Act, in the absence of a recommendation from party concerned.
- 3. Appointed by the Minister, under sec. 8, sub-sec. 3, of the I. D. I. Act, on the joint recommendation of the two members first appointed.
- 4. Appointed by the Minister, under sec. 8, sub-sec. 4, of the I. D. I. Act, in the absence of a joint recommendation by the two members first appointed.

MINING AND SMELTING INDUSTRIES.

1. COAL MINES.

Date of receipt of application.	Parties to Dispute.	Party making application.	Locality.	No. of persons affected.	Nature of Dispute.	Names of Members of Board: (C) Chairman, (E) Employer, (M) Men.	Date on which Board was constituted.	Date of receipt of report of Board.	RESULT OF REFERENCE.
1907. April 8	Cumberland Railway Company and Coal Company and employees.	Employer*	Springhill, N. S.	1,700	Concerning employment of non-union workmen.		1907.		On April 1, employees went on strike. It was alleged by employees that they were under impression that the mines of Nova Scotia were exempt from provisions of Act. When it was explained Act applied to all Canada, employees returned to work April 8. Difficulty amicably settled. No Board constituted.
April 9	Canada West Coal & Employees Coal Company and employees.	Employees	Talbot, Alta.	150	Concerning hours of labour.				On April 1, employer locked out employees. Employer alleged that this was done in ignorance of provisions of Act. When informed of provisions of Act by department, mines were reopened on April 18. Subsequently an amicable settlement was effected through intervention of Mr. J. D. McNiven, Fair Wages Officer of Department. No Board constituted.

\* It is important to note in connection with these disputes that the "Industrial Disputes Investigation Act" was not assented to till March 22 1907. It was some weeks later before copies of the Act were available for distribution. Its provisions in consequence were not fully known by the parties at the time these disputes occurred.

\* Applications for a Board were received also from the employees parties to this dispute.



9-10 EDWARD VII., A. 1910

## INDUSTRIAL DISPUTES INVESTIGATION ACT—Continued.

Date of receipt of application.	Parties to Dispute.	Party making application.	Locality.	No. of persons affected.	Nature of Dispute.	Names of Members of Board: (C) Chairman, (E) Employer, (M) Men.	Date on which Board was constituted.	Date of receipt of report of Board.	RESULT OF REFERENCE.
April 9	*Western Coal Operators Associations and employees.....	Employees.....	.....	.....	Concerning terms of joint agreement, including wages schedule and other conditions of employment.	Hon. Sir Wm. Mulock, K. C. M. G., [C] <sup>†</sup>	April 22 May 29	May 29	Employees went on strike in the several mines while proceedings were pending in connection with the establishment of the Boards of Conciliation and Investigation, in consequence, it was alleged, of misunderstandings which arose through ignorance of the provisions of the Act. The Deputy Minister of Labour left for Fernie on April 19, to explain to the parties the provisions of the law. While in Fernie, the parties consented to his intervention as a conciliator under the Conciliation Act, 1900, and an agreement was effected on May 4. The Boards convened at Fernie on April 30, but adjourned proceedings pending investigations by the Deputy Minister. On May 6th the Boards re-convened to receive from the parties a formal statement that the differences had been adjusted, a further cessation of work being thereby averted. An important feature of the settlement was the establishment of a standing committee of conciliation between the employers and employees, to which future differences were to be referred.
	Canadian American Coal & Coke Co.....	.....	Frank, Alta.....	250		Hon. Sir Wm. Mulock, K. C. M. G., [C] <sup>†</sup>			
	Crow's Nest Pass Coal Co.....	.....	Fernie, Coal Creek, Michel, B.C.....	1,800		F. B. Smith, [E] <sup>†</sup>			
	International Coal and Coke Company.....	.....	Coleman, Alta.....	370		L. P. Eckstein, [M] <sup>†</sup>			
	West Canadian Collieries, Limited.....	.....	Lille and Bellevue	250					
	Breckenridge and Lund Coal Co.....	.....	Lunbreck, Alta ..	125					
	H W. McNeil Coal Co. ....	.....	Canmore, Alta.....	300					
	Pacific Coal Company.....	.....	Bankhead, Alta.....	400					



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May 8	Cumberland Railway and Coal Company and employees.....	Employees	Springhill, N.S....	1,700	Concerning payment for work in count-er levels and stone in pillar work.	The Hon. Mr. Justice Graham [C] <sup>B</sup> P. S. Archibald [E] <sup>1</sup> R. B. Murray [M] <sup>1</sup>	17 July	13	Board being unable to effect a settlement by conciliation, pre-sented a report signed by the Chairman and Mr. Archibald. Minority report was presented by Mr. Murray. The recom-mendations of the Board were not accepted by the employees. The strike which was threat-ened prior to the application for Board on May 8, was averted for the time being but took place on August 1 continu-ing until October 31, when the employees returned to work on the conditions recommended in the report of the Board.
May 27	Alberta Railway and Irrigation Coal Com-pany and employees of coal mines.	Employees	Lethbridge, Alta....	400	Concerning condi-tions of employ-ment.	.....	.....	.....	Amicable settlement, including agreement as to conditions of employment and establishment of a standing committee of conciliation effected between parties while Board was in process of constitution, strike being thereby averted.
July 12	Cumberland Railway and Coal Company and employees.	Employees	Springhill, N.S....	1,700	Concerning wages and other condi-tions of employ-ment.	His Honour Judge Patterson, [C] <sup>H</sup> P. S. Archibald [E] <sup>1</sup> R. B. Murray [M] <sup>1</sup>	27 Sept.	21	Employees declared a strike on August 1 in reference to ques-tion of payment for stone in pillar work, having refused to accept the recommendations of the Board appointed May 17 to deal with this subject. In virtue of this strike, proceedings be-fore the Board were suspended until September 9, when the Board sat for two days, and presented an interim report. The strike ended on October 31, the employees returning to work on the conditions recom-mended in the report of the first Board.
Sept. 16	Hosmer Mines and em-ployees.	Employees	Hosmer, B.C.....	100	Concerning wages and other condi-tions of employ-ment.	His Honour Judge Wilson [C] <sup>H</sup> F. B. Smith [E] <sup>1</sup> F. H. Sherman [M] <sup>1</sup>	30 Sept.	21	The Board presented a unanimous report, which though not for-mally accepted by the parties, formed the basis of an agree-ment subsequently reached by them and reported to the De-partment, a strike being there-by averted.

\* Applications for a Board were received also from the employees, parties to this dispute.



9-10 EDWARD VII., A. 1910

Date of receipt of application.	Parties to Dispute.	Party making application.	Locality.	No. of persons affected.	Nature of Dispute.	Names of Members of Board: (C) Chairman, (E) Employer, (M) Men.	Date on which Board was constituted.	Date of receipt of report of Board.	RESULT OF REFERENCE.
1907									
Sept. 18	Hillcrest Coal and Coke Co. Limited and employees.	Employees	Hillcrest, Alta.	70	Concerning wages and other conditions of employment.	Hon. C. W. Fisher [C] <sup>1</sup> J. R. McDonald [E] <sup>1</sup> F. H. Sherman [M] <sup>1</sup>	Sept. 24	Nov. 4	The report of the Board was accompanied by a minority report by Mr. Sherman. Though neither report was formally accepted by the parties, a settlement was reached in consequence of the inquiry by the Board, and a strike thereby averted.
Nov. 5	Canada West Coal and Coke Company and employees.	Employees	Taber, Alta.	150	Concerning wages, hours, and other conditions of employment.	Hon. Mr. Justice Stuart [C] <sup>1</sup> S. A. Jones [E] <sup>1</sup> F. H. Sherman [M] <sup>1</sup>	Justice Nov. 20	Dec. 20	Differences adjusted, and agreement concluded before Board, dating from December 9, 1907, until March 31, 1909, a strike being thereby averted.
Nov. 5	Domestic Coal Co. and employees.	Employees	Taber, Alta.	50	Concerning wages, hours, and other conditions of employment.	Hon. Mr. Justice Stuart [C] <sup>1</sup> R. Duggan [E] <sup>1</sup> F. H. Sherman [M] <sup>1</sup>	Justice Nov. 20	Dec. 28	Differences adjusted, and agreement concluded before Board, dating from December 9, 1907, until March 31, 1909, a strike being thereby averted.
Nov. 5	Duggan Huntrods & Co. and employees.	Employees	Taber, Alta.	40	Concerning wages, hours, and other conditions of employment.	Hon. Mr. Justice Stuart [C] <sup>1</sup> J. Shorthouse [E] <sup>1</sup> F. H. Sherman [M] <sup>1</sup>	Justice Nov. 20	Dec. 28	Differences adjusted, and agreement concluded before Board, dating from December 9, 1907, until March 31, 1909, a strike being thereby averted.
Nov. 12	Strathcona Coal Co. and employees.	Employees	Edmonton, Alta.	40	Concerning wages, hours, and other conditions of employment.	G. Montgomery [C] <sup>3</sup> F. L. Otter [E] <sup>1</sup> F. H. Sherman [M] <sup>1</sup>	Dec. 2	Dec. 28	Differences adjusted, and agreement concluded before Board, dating from September 23, 1907, until March 31, 1909, a strike being thereby averted.
Nov. 21	Cumberland Railway and Coal Company and employees.	Employees	Springhill, N. S.	1,700	Concerning wages and other conditions of employment.	Hon. His Honour Judge Patterson [C] <sup>1</sup> R. B. Murray [M] <sup>1</sup> Hiram Donkin [E] <sup>2</sup>	Dec. 24	Jan. 22	The Board presented a unanimous report, which the employees expressed a willingness, and the Company an unwillingness to accept. No further cessation of work took place.

1908



## SESSIONAL PAPER No. 36

[illegible]



INDUSTRIAL DISPUTES INVESTIGATION ACT—Continued.

Date of receipt of application.	Parties to Dispute.	Party making application.	Locality.	No. of persons affected.	Nature of Dispute.	Names of Members of Board: (C) Chairman, (E) Employer, (M) Men.	Date on which Board was constituted.	Date of receipt of report of Board.	RESULT OF REFERENCE.
1908									
May 12	Nova Scotia Steel and Coal Company and employees.	Employees	North Sydney, N. S.	1,700	Concerning wages and conditions of labour.	Prof. A. Shortt [C] <sup>3</sup> Dr. D. Allison [E] <sup>2</sup> J. W. Maddin [M] <sup>1</sup>	June 19	Aug. 1	1 An agreement concluded before the Board on all points, and a strike thereby averted. No Board was established in this case, the parties having come to an amicable agreement, subsequent to forwarding the application, a strike being thereby averted.
May 14	International Coal & Coke Co. and employees.	Employees	Westville, N. S.	800	Concerning wages and conditions of labour.				
May 15	Acadia Coal Co. and employees.	Employees	Stellarton, N. S.	800	Concerning wages and conditions of labour.				
May 18	Port Hood and Richmond Railway Coal Co. and employees.	Employees	Port Hood, N. S.	300	Concerning wages and conditions of labour.	His Honour Judge McGillivray [C] <sup>3</sup> Geo. S. Campbell [E] <sup>1</sup> Jas. Macdonald [M] <sup>1</sup>	June 8	July 2	2 A unanimous report was made by the Board with recommendations for a settlement of all differences, which is understood to have been accepted as a basis of working operations, a strike being thereby averted.
July 2	Maritime Coal, Railway & Power Co., Limited, and employees.	Employees	Chignecto, N. S.	200	Concerning wages and conditions of labour.	Rev. Chas. Wilson [C] <sup>3</sup> B. Barnhill [E] <sup>1</sup> K. B. Murray [M] <sup>1</sup>	July 6	July 27	27 An agreement was effected before the Board on all the points at issue and covering the period of two years from July 31, 1908, a strike being thereby averted.
Oct. 19	Galbraith Coal Co., Ltd., and employees.	Employees	Lundbreck, Alta.	30	Concerning wages and conditions of labour.	Chas. Simister [C] <sup>3</sup> F. B. Smith, C. E. [E] <sup>1</sup> Jas. A. Macdonald [M] <sup>1</sup>	Nov. 25	Dec. 14	14 The Board presented a unanimous report recommending a basis of settlement which was subsequently, in correspondence with the Department, accepted by both parties to the dispute, a strike being thereby averted.
1909									
March 4	Dominion Coal Co., and employees, members of U. M. W. of A.	Employees	Glace Bay, N. S.	3,000	Alleged discrimination against members of U. M. W. of A.	His Honour Judge Wallace [C] <sup>4</sup> G. S. Campbell [E] <sup>2</sup> Daniel McDougall [M] <sup>1</sup>	Mar. 22		Proceedings unfinished at close of financial year.



## SESSIONAL PAPER No. 36

## 2.—METAL MINES.

1907 Sept. 12 Canadian Consolidated Mining and Smelting Co., and employees.	Employees	Moyie, B. C. ....	400 Concerning wages and hours.	His Honour Judge Wilson [C] <sup>3</sup> J. A. Harvey [E] <sup>1</sup> S. S. Taylor, K. C. [M] <sup>1</sup>	Sept. 23 Dec. 28	The Board after an exhaustive inquiry into mining conditions in British Columbia, presented a unanimous report, the recommendations of which were of general application to the metal mining industry in the Province of British Columbia. A settlement based on these recommendations was effected between the Company and its employees, and a strike thereby averted. The inquiry, moreover, had the effect of influencing the settlement of other differences in the industry in other parts of the Province.
Dec. 9 McKinley - Darragh Mfg Co., Ltd., and its employees.	Employees	Cobalt, Ont. ....	120 Concerning wages.	Prof. A. Shortt [C] <sup>3</sup> E. C. Kingswell [E] <sup>1</sup> John A. Welch [M] <sup>1</sup>	Dec. 21 Jan. 22	1908 A unanimous report was presented by the Board, making recommendations for the settlement of the dispute. The findings of the Board were not formally accepted by the parties, but the investigation by the Board is believed to have been beneficial to the camp as a whole, and no cessation of work was reported.
Jan. 9 Temiskaming and Hudson Bay Mining Co., Limited, and its employees.	Employees	Cobalt, Ont. ....	50 Concerning wages and hours.	Prof. S. J. Maclean [C] <sup>3</sup> M. F. Punnaville [E] <sup>1</sup> C. B. Duke [M] <sup>1</sup>	Jan. 31 Feb. 13	A unanimous report was presented by the Board, making recommendations for the settlement of the dispute. The findings of the Board were accepted by the men, but not by the Company. No cessation of work was, however, reported.
July 20 Cobalt Central Mining Co., Limited, and employees.	Employees	Cobalt, Ont. ....	105 Concerning wages and hours.	Prof. S. J. Maclean [C] <sup>3</sup> E. L. Fraleek [E] <sup>1</sup> C. B. Duke [M] <sup>1</sup>	Aug. 22 Aug. 29	Unanimous report presented by Board making recommendations for the settlement of the dispute, and no cessation of work was reported.



INDUSTRIAL DISPUTES INVESTIGATION ACT—Continued.  
II.—TRANSPORTATION AND COMMUNICATION.  
1.—RAILWAYS.

Date of receipt of application.	Parties to Dispute.	Party making application.	Locality.	No. of persons affected.	Nature of Dispute.	Names of Members of Board: (C) Chairman, (E) Employer, (M) Men.	Date on which Board was constituted.	Date of receipt of report of Board.	RESULT OF REFERENCE.
1907 Apr. 20	Grand Trunk Railway Company of Canada and Machinists.	Employees	Montreal, Ottawa, Toronto, Stratford, etc.	400	Concerning schedule involving wages, hours, apprenticeship, re-instatement of former employees, etc.	Prof. A. Shortt [C] <sup>1</sup> W. Nesbitt, K.C. [E] <sup>1</sup> J. G. O'Donoghue [M] <sup>1</sup>	May 4	May 21	Differences adjusted, and agreement concluded before Board for period of one year from May 1, strike being thereby averted.
June 27	Grand Trunk Railway Company of Canada and its locomotive engineers.	Employees	Montreal, Ottawa, Toronto, Stratford, etc.	1,300	Concerning schedule of wages and rules.	Prof. A. Shortt [C] <sup>1</sup> W. Nesbitt, K.C. [E] <sup>1</sup> J. Cardell [M] <sup>1</sup>	July 18	Aug. 16	Differences adjusted, and agreement for three years concluded before Board, a strike being thereby averted.
July 10	Intercolonial Railway of Canada and freight handlers in its employ at Halifax, N. S.	Employer	Halifax, N. S.	250	Concerning wages and classification of employees.	Prof. W. Murray [C] <sup>3</sup> Henry Holgate, C.E. [E] <sup>1</sup> R. E. Finn, M.P.P. [M] <sup>1</sup>	July 22	Aug. 12	On June 29, employees went on strike, and when informed that provisions of Act applied, both parties agreed to refer the differences under the Act, and employees returned to work. On the request of the parties proceedings were subsequently adopted under the Conciliation and Labour Act, and a settlement effected, the terms of which were made applicable to the Railway's employees at St. John, N.B., as well at Halifax, N.S., and further cessation of work was thereby averted.
Sept. 5	Canadian Pacific Railway Company and railroad telegraphers.	Employees	On all lines of C. P.R. in Canada.	1,656	Concerning schedule of wages and rules of employment.	Prof. A. Shortt [C] <sup>3</sup> W. Nesbitt, K.C. [E] <sup>1</sup> J. G. O'Donoghue [M] <sup>1</sup>	Sept. 16	Oct. 12	Differences adjusted, and an agreement concluded before Board, dating from October 1, a strike being thereby averted.
Nov. 19	Grand Trunk Railway Co. and railroad telegraphers.	Employer	Montreal.	300	Concerning wages and other conditions of employment.	Prof. A. Shortt [C] <sup>3</sup> W. Nesbitt, K.C. [E] <sup>1</sup> J. G. O'Donoghue [M] <sup>1</sup>	Nov. 30	Jan. 23 1908	Differences adjusted, and agreement concluded before Board, dating from January 1, 1908, a strike being thereby averted.



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Nov. 22	Canadian Pacific Railway Co., and carmen employed by Company on western lines.	Employer	Western Lines.	1,215	Concerning wages and hours.	Prof. Odum [C] <sup>3</sup> A. M. Nanton [E] <sup>1</sup> J. H. McVetty [M] <sup>1</sup>	Nov. 26 Dec. 23	1907	The Board presented a unanimous report recommending a basis of settlement which was subsequently, in correspondence with the Department, accepted by both parties, and a strike thereby averted.
Dec. 19	Canadian Northern Railway and firemen, engineers and hostlers in its employ.	Employees	Winnipeg and territory along Can. Northern Ry.	359	Concerning relations of Union to employer.	Prof. A. Shortt [C] <sup>1</sup> F. H. Richardson [E] <sup>1</sup> J. G. O'Donoghue [M] <sup>1</sup>	Jan. 8	1908	Differences amicably adjusted before the Board and a strike thereby averted.
Jan. 8	Grand Trunk Railway Co., and carmen in its employ.	Employees	G. T. R. System.	800	Concerning wages and conditions of labour.	Prof. A. Shortt [C] <sup>3</sup> Wallace Nesbitt [E] <sup>1</sup> J. G. O'Donoghue [M] <sup>1</sup>	Jan. 28 Feb. 28		Differences amicably adjusted before a Board and a strike thereby averted.
April 28	Canadian Pacific Ry. Co., and various trades in its mechanical department.	Employees	C. P. R. System.	8,000	Concerning wages and conditions of labour.	P. A. Macdonald [C] <sup>1</sup> C. F. Fullerton [E] <sup>1</sup> G. F. Galt [E] <sup>2</sup> * Jas. Somerville [M] <sup>1</sup>	May 13 July 16		The Board did not present an unanimous report, Mr. Somerville presenting a minority report. The Board made certain recommendations for settlement of dispute which were accepted by Company with some demur. Men refused to accept findings of Board and ceased work on Aug. 5. They returned to work on Oct. 5 accepting finally recommendations of Board.
May 14	Intercolonial Railway of Canada and station freight clerks' Unions Nos. 1 and 2 of Halifax, N.S., and St. John, N.B.	Employees	Halifax, N.S. and St. John, N.B.	.....	Concerning wages and conditions of labour.	His Hon. Judge Sept. McGibbon [O] <sup>4</sup> H. Holgate C. E. [E] <sup>1</sup> J. G. O'Donoghue [M] <sup>1</sup> R. E. Finn [M] <sup>1</sup> +	Sept. 8 Oct. 6		The proceedings in this case were under the Conciliation and Labour Act by request of the employees and where subject to delay through the inability to act of the member of the Committee of Mediation and Investigation first appointed on the recommendation of the men. The Committee was finally constituted and a settlement of all differences effected, a strike being thereby averted.
May 28	Canadian Pacific Ry. and railway telegraphers in its employ.	Employees	C. P. R. System.	1,605	Concerning alleged wrongful dismissal of certain employee	Hon. Mr. Justice June Fortin [C] <sup>1</sup> C. Campbell, K. C. [E] <sup>1</sup> W. T. J. Lee [M] <sup>1</sup>	Sept. 17		A unanimous report was made by the Board with recommendations for a settlement of all differences, which were accepted by both parties, a strike being thereby averted.

\* Mr. Fullerton, finding himself at an early stage of the proceedings unable to agree with his colleagues resigned from the Board, and the company declining to make a further recommendation, the Minister appointed Mr. Galt without recommendation.

+ Owing to inability of Mr. R. E. Finn to act as member of Board, Mr. J. G. O'Donoghue was appointed in his stead.



## INDUSTRIAL DISPUTES INVESTIGATION ACT—Continued.

Date of receipt of application.	Parties to Dispute.	Party making application.	Locality.	No. of persons affected.	Nature of Dispute.	Names of Members of Board: (C) Chairman, (E) Employer, (M) Men.	Date on which Board was constituted.	Date of receipt of report of Board.	Result of Reference.
1908									
Aug. 21	Canadian Northern Ry. Co., and carmen on Lake St. John Division.	Employees	Lake St. John Division C.N.R.	49	Concerning wages and conditions of labour.	Ludovic Brunet [C] <sup>3</sup> E. A. Evans [E] <sup>1</sup> P. J. Jobin [M] <sup>1</sup> A. Chartrain [M]*	Sept. 30	Nov. 19	A unanimous report was presented by the Board, making certain recommendations for the settlement of the dispute which were accepted by both parties to the dispute, a strike being thereby averted.
Aug. 22	Canadian Pacific Ry. Co., and firemen and engineers in its employ.	Employees	C. P. R. system.	7,000	Concerning alleged wrongful dismissal of certain employees.	Hon. Judge Fortin [C] <sup>1</sup> W. Nesbitt, K. C. [E] <sup>1</sup> J. G. O'Donoghue [M] <sup>1</sup>	Jan. 5	Jan. 25	A unanimous report presented by the Board, making certain recommendations for the settlement of the dispute, which were accepted by both parties, a strike being thereby averted.
Aug. 22	Canadian Northern Ry. Co., and locomotive engineers in its employ.	Employees	C. N. R. system.	341	Concerning wages and conditions of labour.	Hon. Judge Gunn [C] <sup>1</sup> F. H. Richardson [E] <sup>1</sup> J. Harvey Hall [M] <sup>1</sup>	Sept. 14	Nov. 16	A unanimous report was presented by the Board making certain recommendations for the settlement of the disputes, which were accepted by both parties, and a strike being thereby averted.
Dec. 26	Kingston & Pembroke Ry. Co., and employees members of Order of Railroad Telegraphers.	Employees	K. & P. Ry. system.	19 dir. indir. 1,690	Concerning wages and conditions of labour.	Hon. Judge Gunn [C] <sup>1</sup> J. F. Whiting, K. C. [E] <sup>1</sup> J. G. O'Donoghue [M] <sup>1</sup>	Jan. 15	...	Proceedings unfinished at this close of the financial year.
Dec. 29	Great Northwestern Telegraph Co., and certain Railroad Telegraphers on M. C. R. system.	Employees	Michigan Central Ry. system.	75	Abolition of commission on commercial business on M. C. R. J. F. Mackay [E] <sup>2</sup> system by G. N. W. J. Co., without due notice.	Hon. Judge Mc-Febr. Gibbon [C] <sup>1</sup> J. F. Mackay [E] <sup>2</sup> G. O'Donoghue [M] <sup>1</sup>	Feb. 8	Mar. 22	A unanimous report was presented by the Board, making certain recommendations for the settlement of the dispute. The report was substantially in favour of the employees. The company had refused to nominate to the Board, and claimed irresponsibility on the matter. The enquiry, though not resulting in an agreement, is understood to have modified the situation and the threatened strike was averted.

\* Owing to the inability of A. Chartrain to act as member of the Board P. J. Jobin was appointed in his stead.



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1909  
Feb. 10 Manitoba Cartage Co., Employees Winnipeg Man. 40 dir. Concerning alleged Rev. Dr. C. W. Mar. 2  
260 discrimination Gordon [C]<sup>3</sup>  
indir. against men con- Prof. R. R. Cochrane  
nected with the [E]<sup>2</sup>  
Union. T. J. Murray [M]<sup>1</sup>

A unanimous report was presented by the Board making certain recommendations for the settlement of the dispute. Although the Department was not formally notified of the acceptance of this report by either party it was understood that it was effective in establishing a better understanding between the Company and its workmen, the threatened strike being also averted.

## 2.—STREET RAILWAYS.

Jan. 31 Hamilton and Dundas Railway Co. and Hamilton Radial Railway Co., and Hamilton & Burlington Ry. Co. and employees. Employees Hamilton, Ont. . . . . 120 Concerning relations of union to employing companies. His Hon. Judge Monk [C]<sup>4</sup>  
Wm. Bell, K.C. [E]<sup>1</sup>  
J. G. O'Donoghue [M]<sup>1</sup> Feb. 17 April 8 Report of the Board was opposed to the claims of the men and was accompanied by a minority report from Mr. O'Donoghue, generally sustaining the claims of the men. Neither report was acceptable to both parties, but the effect of the investigation appeared to be to bring about a better understanding between the parties, and no cessation of work was reported.

May 8 Ottawa Electric Railway and its employees. Employees Ottawa, Ont. . . . . 256 Concerning wages and conditions of labour. Prof. A. Shortt [C]<sup>1</sup> May 22 June 15 Differences amicably arranged before the Board and strike thereby averted.  
G. F. Henderson [E]<sup>1</sup>  
J. G. O'Donoghue [M]<sup>1</sup>

Sept. 3 Quebec Heat Light and Power Co. and its Street Railway employees. Employees Quebec, Que. . . . . 116 Concerning alleged wrongful dismissal of certain employees. Omer Brunet [M] Oct. 6 The two members of the Board appointed respectively on the nomination of employing company and employees, presented a joint statement making certain recommendations for a settlement of the disputed points, which recommendations were accepted by both parties to the dispute as a settlement of the differences, a strike being thereby averted.



INDUSTRIAL DISPUTES INVESTIGATION ACT—Continued.

Date of receipt of application.	Parties to Dispute.	Party making application.	Locality.	No. of persons affected.	Nature of Dispute.	Names of Members of Board: (C) Chairman, (E) Employer, (M) Men.	Date on which Board was constituted.	Date of receipt of report of Board.	RESULT OF REFERENCE.
3.—SHIPPING.									
* May 15	Shipping Federation of Canada and Longshoremen of Montreal.	Employers	Montreal, Que.	1,500	Demand for increase in wages.	[C] <sup>3</sup> G.W. Stephens [E] <sup>1</sup> Jos. Ainey, [M] <sup>1</sup>	Archbishop Bruchesi June 7	June 17	On May 13 employees went on strike notwithstanding provisions of Act, and employers on May 18 withdrew application for Board. On May 15, Mr. F. A. Acland, the then Secretary of the Department, went to Montreal to explain the provisions of the Act to the parties to the dispute. As the result of Mr. Acland's intervention the employees returned to work, and agreed to refer the dispute under the Industrial Disputes' Investigation Act, and a formal application was made by the employees for the establishment of a Board. A unanimous report was made by the members of the Board, and an agreement recommended covering conditions of employment for the seasons 1907 and 1908.
* May 25	Shipping Federation of Canada, Canadian Pacific Railway Co. and Longshoremen of Montreal.	Employees	Montreal, Que.	1,600	Demand for increase in wages.				The Union did not formally accept the recommendations of the Board, but the members with the exception of a few, signed individual agreements with the employers, based upon the recommendations with the Board, and a further cessation of work was thereby averted.

\* The two applications here recorded are regarded as one in the tabular statement.



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May 31	Furness Withy Co., Cunard & Co., Pick- ford, Black & Co., and Longshoremen.	Employers. Halifax, N.S.	500 Concerning wages. James Hall (E). Increase of 5 cts. Philip Ring (M). per hour demanded by men, 2½ cents offered by compan- ies, but refused.	On May 26, employees went on strike, alleging subsequently that they had no knowledge of the existence of the provisions of the Act. Mr. V. DuBreuil, Fair Wages' Officer of the De- partment, was sent to Halifax to explain the provisions of the Act. A Board was requested as a result of the explanations given, and while being consti- tuted the dispute was amicably settled, Mr. DuBreuil lending the good offices of the Depart- ment as a conciliator. A further cessation of work was thereby averted, as was also the neces- sity of further proceedings in connection with the establish- ment of the Board.
1908 Mar 6	Dominion Marine As- sociation and Lake Seamen's Union	Employees Kingston, Ont., and ports of Great Lakes.	450 Concerning wages Prof. A. Shortt (C) <sup>3</sup> and conditions of Jas. Stewart (E) <sup>2</sup> employment. John A. Flett (M) <sup>1</sup>	April 1 April 14 Differences amicably arranged before the Board and strike thereby averted.



B.—INDUSTRIES OTHER THAN MINES, AGENCIES OF TRANSPORTATION AND COMMUNICATION AND OTHER PUBLIC UTILITIES.\*

Date of receipt application.	Parties to Dispute.	Party making application.	Locality.	No. of persons affected.	Nature of Dispute.	Names of Members of Board: (C) Chairman; (E) Employer; (M) Men.	Date on which Board was constituted.	Date of receipt of Report of Board.	
1907 Aug. 23	Montreal Cotton Co., and employees.	Employees	Valleyfield, Que..	2,200	Concerning conditions and wages.	Hon. Mr. Justice Fortin, (C) <sup>1</sup> Duncan McCormick, K.C. (E) <sup>1</sup> W. Paquette (M) <sup>1</sup>	Sept. 4	Sept. 24	The employees went on strike on Aug. 13, and the good offices of the Department were requested with a view to effecting a settlement. Mr. F. A. Acland, the then Secretary of the Department, and Mr. V. DuBreuil, Fair Wages Officer, visited the scene of the dispute and explained the provisions of the Act to the parties, with special reference to the sections enabling a dispute in any industry other than that of a mine or public utility to be referred, by mutual agreement between the disputing parties, to a Board of Conciliation and Investigation. As a result of the explanations and efforts at conciliation on the part of the officers of the Department, an application for a Board was forwarded to the Minister; the employees in the meantime returning to work on August 26. The Board was duly established, with the result that the differences were adjusted and an agreement concluded before the Board dating from September 17, 1907, to be effective until May 4, 1908, and thereafter until either side be given a written notice of cancellation of the same. A feature of the agreement was the establishment of a permanent Committee of Conciliation, to which it was agreed that all subsequent disputes should be referred.
1908 Dec. 17	The John Ritchie Co., Ltd., and certain employees (lasters)	Employees and employers.	Quebec, Que.....	300	Concerning introduction of a certain machine and wages.	Dr. Chas. Côté (C) <sup>3</sup> Félix Marois (E) <sup>1</sup> Z. Bérubé (M) <sup>1</sup>	Dec. 31	Feb. 17	An agreement was concluded before the Board covering all matters in dispute effective from February 12, 1909, to May 1, 1910, a strike being thereby averted.

\* These disputes were referred to a Board of Conciliation and Investigation under section 63 of the Act, which provides that "in the event of a dispute arising in any industry or trade other than such as may be included under the provision of this Act, and such dispute threatens to result in a lockout or strike, or has actually resulted in a lockout or strike, either of the parties may agree, in writing, to allow such dispute to be referred to a Board of Conciliation and Investigation, to be constituted under the provisions of this Act," &c. Applications referring to disputes in this class of industry were received also in the cases of W. A. Marsh & Co., Boot and Shoe Manufacturers, Quebec; the Rosamond Woolien Company, Almonte, Ont.; the Eastern Townships' Manufacturing Manufacturing Company, St. Hyacinthe, Que.; L'Association Internationale des Ouvriers en Fourrures, Montreal; the Davidson Manufacturing Company, Montreal, and A. Gravel Lumber Company, Etchemin, Que.; but the parties concerned not agreeing to refer their differences for adjustment according to the provisions of the Act, no action was taken by the Minister.



## AMERICAN INTEREST IN THE ACT.

The obvious advantages offered by an acceptance of the principle of reason and moderation on which the Act is founded have not been overlooked by our neighbours of the United States. As has been pointed out in the introduction to this report enquiries of the Department concerning the Act, its theory, scope and operation have been received in great number from the United States, and there is abundant evidence that the Act has excited the keenest interest there, one of the most curious illustrations of this fact being the frequency with which, as already mentioned, it has become the theme of controversy between rival debating clubs in high schools and universities in the United States. A more practical outcome of the interest perhaps is that "sincerest form of flattery" which is said to lie in imitation, and which is found in the proposed enactment in several States of the Union of measures framed largely on the lines of the Canadian Act. The framers of bills to be presented on behalf of the Government of the States of California and Wisconsin did Canada the honour of consulting the Department of Labour on certain aspects of the law. The American measures differ in various ways from each other and from the Canadian Act, but concur in the vital principles of providing that no strike or lockout may legally take place until after the matter in dispute shall have been investigated, a principle first laid down in effective legislation by the Canadian Act. The American proposals appear as a rule to favour permanent Commissions or Boards which shall have entrusted to them the adjustment of industrial disputes prior to strikes or lockouts. The principle of bringing public opinion to bear upon the dispute, which is regarded as one of the elements promoting success in the case of the Canadian Act is recognized in the case of the Wisconsin Act by a provision declaring that the findings of the Commission covering a particular dispute shall be published in two newspapers in the locality where the dispute occurs.

## DR. VICTOR S. CLARK'S VERDICT.

Reference was made in the annual report of the preceding fiscal year to the mission to Canada of Dr. Victor S. Clark, a noted American sociologist of Washington, D.C., who came here at the special request of Mr. Roosevelt, then President of the United States, to investigate the working of the Industrial Disputes Investigation Act. Dr. Clark's visit occurred in the spring of the year 1908, and his report was not published in time to permit more than a brief reference to it to appear in the annual report for 1907-08. It may, however, now be stated that after a very careful investigation of the proceedings which up to that time had taken place under the Act in the course of which the Commissioner visited many parts of Canada, was present at the sessions of a number of Boards, and interviewed the chief figure on either side in numerous disputes, Dr. Clark found substantially in favour of the measure. "So far," he said, "as can be judged from the experience of a single year the Industrial Disputes Act has accomplished the main purpose for which it was enacted, the prevention of strikes and lockouts in public service industries."



Dr. Clark's report was published in the May issue of the bi-monthly Bulletin of the United States Bureau of Labour, where it occupied eighty pages. The report was so valuable an analysis of the Act that the principal portions of it were republished in the *Labour Gazette* for September last. It is desirable, however, to draw special attention in the present volume to certain sentences taken from Dr. Clark's conclusions, and in reading them it should be remembered that the special object of Dr. Clark's enquiries was to ascertain the suitability of such a law for the United States. After expressing his views as above quoted concerning the effect of the Act after a year's operations, the distinguished American proceeded as follows:—"Apparently, it has not affected adversely the conditions of workingmen or of industries where it has been applied. It is much more applicable to American conditions than compulsory arbitration laws, like those of New Zealand and Australia, because its settlements are based on the agreement of the parties and do not prescribe an artificial wage, often illy adjusted to economic conditions. Employers and the general public in Canada, with a very few exceptions, favour the law. The working people are divided." Possibly workers do sacrifice something of influence in giving up sudden strikes, but they gain in other ways, especially in having a better alternative to a strike than before. And as part of the general public they profit by the saving of industrial waste through strikes.

"After such a law is once on the statute books, however, it usually remains, and in New Zealand, Australia, and Canada it has created a new public attitude toward industrial disputes. This attitude is the result of the idea—readily grasped and generally accepted when once clearly presented—that the public have an interest in many industrial conflicts quite as immediate and important in its way as that of the conflicting parties. If the American people have this truth vividly brought to their attention by a great strike, the hopeful example of the Canadian Act seems likely, so far as present experience shows, to prove a guiding star in their difficulties."

#### PROF. SHORTT'S VIEWS.

One of the most interesting pronouncements on the Act which has come to the notice of the Department during the year is that of Prof. Adam Shortt, who, on December 29 and 30, at Atlantic City, N.J., delivered an address on the subject before the delegates to the annual convention of the American Association for Labour Legislation. Prof. A. Shortt is at the present time a member of the Civil Service Commission of Canada and a resident of Ottawa, but prior to this appointment to the Commission in September, 1908, he was a distinguished member of the faculty of Queen's University, and as one of the leaders in social and economic thought in this country had been called upon to act as Chairman in the case of numerous Boards established under the Act, acquiring thus a special degree of familiarity with the various phases of the Statute and with the details of its machinery. It may be added that Prof. Shortt effected a number of most important settlements under the Act, and gave many practical illustrations of its advantages. Prof. Shortt's address to the American Association for Labour Legislation was not an analysis of the



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Act of the type made by Dr. Victor Clark, but consisted rather of observations and deductions derived from his large experience in a practical administration of its provisions. The moderation of judgment and breadth of view that undoubtedly contributed largely to the marked successes scored by Prof. Shortt in the adjustment of disputes by the machinery of the Act are shown in the closing sentences of his address, which express also his final summing up of the subject:—

“ Considering how very seldom in their discussion of the merits of their respective cases the weaknesses of their own position and the strength of their opponents are frankly admitted I have been agreeably surprised to find how readily in the end, even in the discussion before the Board, but more particularly in the separate discussions afterwards, each side could be brought to concede the validity of their opponents' position on many points. Another encouraging feature, considering what interests are at stake, is the general calmness and good feeling which prevail in the discussions before the Boards. Occasionally the temperature may exhibit a sudden rise when some tender spot is rubbed, but such occurrences are rare. Much the liveliest case we experienced, in the way of an exchange of picturesque compliments, was one in which two very respectable international unions were seeking to establish themselves on the same base and on the same side of it with reference to a railway company.

“ There are many reflections suggested by the experience of the concrete cases which have been brought under the operation of the Canadian Act, but only a few samples could be presented in this paper. The policy and method of the Canadian Act by no means afford a certain remedy for industrial disputes. No practical man dreams that industrial disputes can be prevented from occurring, because there will always be cases where justice unavoidably pertain to both sides. There are, however, many disputes which are chiefly due to historic prejudice, mutual ignorance and misunderstanding, and it ought to be possible to dispose of most of these and to effect a working settlement in the case of many of the others. All that one may claim for the essential features of the Canadian Act is that, if tactfully handled, they provide a reasonable method of securing the maximum of concession with the minimum of compulsion.”

## ENQUIRIES CONCERNING THE ACT.

It will be of interest to glance in some detail at the enquiries received in the Department concerning the Act during the year. The general nature of these has been already indicated. As already mentioned the Act has been a favorite theme of debate between high schools and universities in the United States and in one case, as stated, such a debate took place between the students of the University of North Dakota and those of the University of Manitoba, the Americans being the defenders of the Act and winning the debate.

An intercollegiate debate on the merits of the Act was held also between the University of North Dakota and the Hamline University of St. Paul, Minn., and in this case at the request of the students full particulars of the Act were supplied to those taking part in the debate. The Department was also informed that the Act was discussed in debates by students of Knox



College, Galesburg, Ill., Cornell College, Mount Vernon, Iowa, the State Normal School at Oshkosh, Wis., the Nebraska High School Debating League, the Columbus Public School, of Columbus, Montana, and in a debate in Winterset, Iowa.

A number of the enquiries in regard to the Act from the United States were made for the purpose of ascertaining the extent to which the experience of Canada in this matter warranted the adoption of legislation along similar lines in the United States. The same might be said also of enquiries received from New Zealand and from other countries. In several instances distinguished visitors to Canada have availed themselves also of the opportunity of making personal enquiry into the Act and the results attending the operation of the same.

A memorandum showing the working of the Act was prepared for transmission to the Colonial Office. Copies of the Act and various reports and information in regard thereto were furnished also to Mr. R. Gregg, British Trade Commissioner in Canada, for the information of the British Board of Trade. Copies of the Act and publications in regard thereto were sent by request to Mr. Edward W. Frost, of Milwaukee, Wis., who was commissioned by Governor Davidson of Wisconsin to make a careful study of these questions. At the request of Mr. Charles McCarthy, Reference Librarian of the Wisconsin State Legislature, copies of the Act were also sent to Madison, Wisconsin, for use in the State Legislature.

Mr. E. C. Jack, Dominion Secretary of the New Zealand Farmers' Union, in applying to the Department for information in regard to the industrial laws of Canada, said: "The object of the request is to enable us to find the best possible solution of the labour problem of this country which at present is rather disturbing to the farmers of this Dominion."

Mr. Robert Seymour Walpole, Secretary of the Central Council of Employers of Australia, who visited the Department of Labour in order to obtain information concerning the Industrial Disputes Investigation Act, was furnished with the terms of the Act and with particulars of the proceedings thereunder and expressed himself as much interested therein.

Rev. Edward P. Shier, Eureka, California, Fraternal Delegate of the District Presbytery of the Presbyterian Church to the Trades Council of Eureka, in writing the Department for information concerning the Act, observed that the Trades' Council of Eureka was already much interested in the Canadian Law and was desirous of learning more on the subject. Mr. Shier added, "I am personally much interested in this law and it seems to me the most practical provision I have heard of and I hope to see some such legislation in our country."

In a letter received from Miss Kate Barnard, Commissioner of the Department of Charities and Corrections of the State of Oklahoma, acknowledging copies of the Act, Miss Barnard stated that reference was made to this measure in a discussion of a Compulsory Arbitration Bill before the State Legislature of Oklahoma and that the information which had been supplied to her in connection with the Industrial Disputes Investigation Act proved of the



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“ utmost value ” and was used in the arguments presented both in the House of Representatives and in the Senate.

Mr. Cephas D. Allin, of the University of Minnesota, writing for certain publications of the Department, remarked: “ I believe that in the Lemieux Act Canada has one of the best pieces of labour legislation that has yet been devised.”

A letter from Mr. Sigvard B. Nelson, of Galesburg, Ill., to the Department contains the following tribute to the Act: “ We are obliged to look to Canada for model labour legislation.”

In a communication addressed to the Department in acknowledgement of various publications forwarded discussing the labour legislation of the Dominion, Mr. Sherman E. Danforth, of Berkeley, Cal., writes as follows: “ In order to permit a more general knowledge of your splendid legislation on labour problems in my community, I shall turn over such matter to our public library, and in order to be able more intelligently to follow the history and development of your labour law, I desire to become a subscriber to the *Labour Gazette* for two years.”

Among others to whom detailed information respecting the Industrial Disputes Investigation Act was furnished by the Department, in every case by request, during the past year, are the following:—

The Right Honourable James Bryce, British Ambassador, Washington, U.S.A.

The Right Honourable Viscount Dunluce, Barrow-in-Furness, England.

The Consul-General of Norway, Montreal.

The Honourable William A. Calderhead, Member of the Committee of Ways and Means of the House of Representatives, Washington, D.C.

Sir Hugh Bell, 95 Sloane Street, London, S.W.

Mr. Guido Rossatti, Italian Consulate, New York, N.Y.

Mr. A. D. Steel Maitland, Sauchieburn, Stirling, Scotland.

Mr. H. C. Hunter, Secretary, New York and New Jersey Branch of the National Metal Trades Association, New York, N.Y.

Mr. J. J. Flynn, International Secretary-Treasurer Interior Freight Handlers' and Railway Clerks' International Union, Chicago, Ill.

Mr. Westley Russell, General Secretary-Treasurer, Commercial Telegraphers' Union of America, Chicago, Ill.

Mr. E. William Weeks, Grand Secretary-Treasurer, Brotherhood of Railway Carmen of America, Kansas City, Missouri.

Mr. W. J. Lafrancis, Chairman, Legislative Committee Massachusetts State Council, United Brotherhood of Carpenters and Joiners of America, Springfield, Mass.

Professor R. T. Hoxie, University of Chicago, Chicago, Ill.

Rev. Amos Judson Bailey, Department of Church and Labour of the Congregational Association of New York, N.Y.

Dr. N. W. Hoyles, Osgoode Hall and Law School, Toronto.

Dr. F. P. Walton, Dean of the Faculty of Law, McGill University, Montreal, Que.

Professor E. B. Patton, University of Rochester, Rochester, N.Y.



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Professor Francis P. Peabody, Chairman of the Department of Ethics, Harvard University, Cambridge, Mass.

Professor James E. Boyle, Ph.D., University of North Dakota, Grand Forks, N.D.

Professor Carl W. Thompson, Director of the School of Commerce of the University of South Dakota.

Mr. Emile Stocquart, Brussels, Belgium, President of L'Institut de Droit Compare.

Mr. J. R. Commons, Secretary of American Association for Labour Legislation, Madison, Wis.

Mr. Felix Marois, Department of Public Works and Labour, Quebec, Que.

Mr. John Humphrey, Secretary Wisconsin State Board of Arbitration and Conciliation, Milwaukee, Wis.

Mr. Norman Fraser, Provincial Inspector of Mines, Edmonton, Alta.

Reference Department, St. Paul Public Library, St. Paul, Minn.

The Canadian Mining Journal, Toronto, Ont.

Publication Committee National Temple of Labour Association, Washington, D.C.

The Editor of The Standard, London, Eng.

The Editor of The Cotton Factory Times, Ashton-under-Lynne, Eng.

The Editor, Textile Mercury, Blackfriars, Manchester, Eng.

Messrs. Hodges & Ridley, Attorneys, Gary, Indiana.

Eyre & Spottiswoode, London, Eng.

Henry Robinson, Counsellor at Law, Concord, N.H.

The Louisville Cotton Company, Louisville, Kentucky.



### III.—ORIENTAL IMMIGRATION—A. STATEMENT REGARDING ANTI-ORIENTAL DISTURBANCES AT VANCOUVER, B.C., IN SEPTEMBER, 1907, AND ENQUIRIES AND MISSIONS ARISING THEREFROM.

In the Annual Report of the Department for the fiscal year 1907-08 considerable space was devoted to a discussion of the various missions and enquiries entrusted to the Department of Labour and arising out of the question of Oriental Immigration. The period covered by the Departmental report did not extend to the close of this series of enquiries, and it will be desirable to include in the present report statements regarding the later phases of the subject. In some degree indeed different aspects of the question of Oriental Immigration continued throughout the year to be the subject of investigations in which the Department was being interested, and which will be mentioned in their place, but the result of these investigations was not embodied in any formal or published report.

It may be well briefly to recapitulate the incidents leading to the original institution of the various investigations and missions relating to the important question of Oriental immigration. It was in the late summer of 1907, it will be remembered, that the subject was somewhat violently forced on public attention by an anti-Oriental disturbance in Vancouver, B.C., in the course of which many of the Japanese and Chinese residents of that city sustained serious damages to their property and business interests.

The circumstances with regard to immigrants from the Orient at this time were as follows: (1) In the case of the Japanese the total population of that race in Canada at the time of the census of 1901 was 4,074, practically all of whom were in British Columbia; by the beginning of 1907 this number had increased to 7,500 and during that year the immigration greatly increased so that for the ten months ending October, 1907, it totalled 4,429. (2) Chinese immigration, which prior to 1904 had been of considerable volume, despite a head tax of \$50, was reduced to a nominal figure by the increased head tax of \$500 decreed by Canada in that year. The total number paying the increased tax in fact from January 1, 1904, to June 30, 1907, was 121 only; but during the nine months following the Chinese immigration increased greatly in volume, and no fewer than 1,482 paid the head tax between June 30, 1907, and March 31, 1908; (3) Immigration from India, the third great division of the Orient, was practically unknown until 1906, and was inconsiderable until a year later when 2,124 entered the country; while during the following year these immigrants continued to arrive in somewhat greater numbers.

The great majority of these recent immigrants from the Orient, like their predecessors from China prior to the poll tax of 1904, had settled in British Columbia and the sparse white population of that Province at last believed itself face to face with a race problem.



## THE OUTBREAK OF SEPTEMBER, 1907.

A somewhat similar situation existed on the other side of the boundary line. Early in September, 1907, there was an outbreak at Bellingham, Washington State, against Hindu labourers who were beaten and driven out of the city. The agitation spread to this country and, as stated above, on September 7, a somewhat serious disturbance took place at Vancouver, B.C., resulting in considerable damage to Japanese and Chinese property. The Prime Minister of Canada immediately telegraphed, through the British Ambassador at Tokio, a formal expression of regret to the Japanese Government, and, replying to a resolution passed by the Trades and Labour Congress on the general subject of Oriental Immigration, deprecated political action, but promised a careful enquiry into the whole matter. The result of the deliberations of the Dominion Government was that on September 13th, the Honourable Rodolphe Lemieux, Minister of Labour, was appointed a special envoy to Japan to discuss with the Japanese authorities the question of emigration from Japan to Canada. Mr. Lemieux sailed from Vancouver on October 30, conferred with the Japanese authorities and arrived back in Ottawa on January 10, 1908, having succeeded in effecting an arrangement whereby the Japanese authorities undertook voluntarily to restrict within narrow limits the immigration of their people to Canada. The Minister of Labour made his statement to the House of Commons on January 21. It may be added that the immigration from Japan was immediately diminished and when, a few months later, the permits which, it appeared, had been already given out by the Japanese authorities and unused, had been exhausted, the number of arrivals in Canada from Japan fell to a nominal figure.

In the meantime claims had been presented on behalf of the Japanese and Chinese residents of Vancouver for compensation for losses sustained by them during the disturbance of September, and on October 12, Mr. W. L. Mackenzie King, C.M.G., then Deputy Minister of Labour, was appointed a Commissioner to conduct an enquiry into the losses sustained by the Japanese population. The enquiry resulted in an adjustment of the claims presented at the figure of \$9,036. While conducting the enquiry necessary to the completion of this adjustment, Mr. Mackenzie King was further appointed a Commissioner to enquire into the methods by which Oriental labourers had been induced to emigrate to Canada, and the enquiry which followed brought to light much interesting and important information with respect to the whole question of Oriental immigration.

The general result of these several enquiries or missions was embodied in formal reports or official statements, of which abstracts in several cases were printed in last year's annual report. In the case of the enquiry into the methods by which Oriental labourers have been induced to come to Canada a report was presented to Parliament in January, 1908, and an abstract of the same appeared in the annual report for last year. The report of that portion of the enquiry relating to immigration from China and India was not prepared until considerably later, the Commissioner having been occupied with other



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duties, and was presented to Parliament on July 18, 1908, too late for inclusion in the annual report for the previous fiscal year; an abstract of the sections indicated is presented therefore in the present volume.

There remained to be dealt with the question of immigration to Canada from India, and on March 2, 1908, the Deputy Minister of Labour was again appointed a Commissioner to proceed to Great Britain to confer with members of the British Government on the subject of immigration to Canada from the Orient, and from India in particular. Mr. King sailed on March 6 for England and during the next few weeks met and discussed the subject of his mission with those members of the British Government concerned, namely, Lord Elgin, then Secretary for the Colonies; Mr. John Morley (now Lord Morley), Secretary for India, and Sir Edward Grey, Foreign Secretary, with the result that a satisfactory arrangement was reached as to immigration from India.

During Mr. Mackenzie King's absence on the last named mission, he was further appointed a Commissioner to adjust the losses sustained by the Chinese residents of Vancouver, which had not been dealt with at the time of the adjustment of Japanese losses. Mr. King took up the duties of this Commission on his return from England, proceeding with the enquiry on May 25 at Vancouver, and effecting an adjustment of the claims presented at the sum of \$25,990.

Formal reports were presented during the past fiscal year as the outcome of the missions to England and the settlement of Chinese claims. Abstracts of these are printed in the present volume. It may be added that arising out of the enquiry into the Chinese losses in the disturbances at Vancouver in September, 1907, was a report by Mr. Mackenzie King on the subject of the opium traffic in Canada, the existence of which on an extensive scale had incidentally been brought to light during the investigation in question. This report contained recommendations looking to the suppression of the opium trade in Canada which were embodied in legislation enacted at the session of Parliament then in progress. An abstract of the report and the text of the Act are printed in the present volume.

## OPIUM TRAFFIC INVESTIGATED.

It will, perhaps, be proper here to refer also to a further mission arising out of the incidents briefly recorded in the foregoing pages, and in which the Department, though having but a slight degree of official connection therewith, was deeply interested.

As mentioned elsewhere in this report, Mr. Mackenzie King, who had as Deputy Minister of Labour, conducted a number of the investigations and missions mentioned, resigned his connection with the Department on September, 1908, with a view to entering public life and was subsequently elected a Member of Parliament. The Dominion Government, in the meantime, received an invitation to name a member of the delegation to be appointed by the British Government to attend an International Opium Commission representing the leading nations and which was to assemble at Shanghai in February.



and in November Mr. King was appointed on the nomination of the Dominion Government a member of the delegation in question. Mr. King left for China in December, proceeding by way of India, so that he might personally investigate some aspects of the Oriental Immigration question and confer with the authorities in India, and at the conclusion of the conference at Shanghai he visited Peking with the same object.

The spirit in which the understandings effected with regard to immigration from Japan and India respectively have been interpreted by the authorities concerned is perhaps best demonstrated by drawing attention to the figures of immigration for these countries for the fiscal year, which show that in the case of both countries immigration to Canada has become practically a negligible factor. The figures in question are as follows:—

From Japan .....	495
From India .....	6



IV.—ORIENTAL IMMIGRATION.—B. MISSION OF DEPUTY MINISTER OF LABOUR TO ENGLAND CONCERNING IMMIGRATION TO CANADA FROM THE ORIENT AND FROM INDIA IN PARTICULAR.

During the month of March, 1908, Mr. W. L. Mackenzie King, Deputy Minister of Labour, was despatched by the Government of Canada to Great Britain for the purpose of conferring with various departments of the British Government on the subject of immigration to Canada from the Orient and from the East Indies in particular. The circumstances and objects of the mission are stated concisely in the following copy of a report of the committee of the Privy Council approved by His Excellency the Governor-General on March 2, 1908.

“ On a memorandum dated 2nd March, 1908, from the Right Hon. Sir Wilfrid Laurier, representing that notwithstanding the regulations for the restriction of immigration from the Orient, certain classes of immigrants, in particular British East Indians, are being induced to come to Canada under circumstances which may necessitate a refusal of their admission to our shores;

“ That experience has shown that immigrants of this class, having been accustomed to the conditions of a tropical climate, are wholly unsuited to this country, and that their inability to readily adapt themselves to surroundings so entirely different inevitably bring upon them much suffering and privation; also, that were such immigration allowed to reach any considerable dimensions, it would result in a serious disturbance to industrial and economic conditions in portions of the Dominion, and especially in the Province of British Columbia;

“ That an effective restriction of immigration from India is desirable, therefore, not less in the interest of the East Indians themselves, than in the interest of the Canadian people;

“ That, moreover, the whole subject of Oriental immigration is one of first concern to Canada, and affecting, as it does, the relations of the Dominion with foreign powers, and the relations of our people with fellow British subjects in India, involves considerations of the highest importance, not only to Canada, but to the British Empire as a whole;

“ That it is desirable that on this important question there should be as complete an interchange of views between the authorities of Great Britain and Canada as may be possible, and that in reference to it there should be a complete understanding between the governments of the two countries;

“ Mr. W. L. Mackenzie King, C.M.G., Deputy Minister of Labour, has recently made full enquiry under Royal Commission into the causes by which Oriental labourers have been induced to come to Canada, and as he is familiar with the subject in its many bearings, Sir Wilfrid Laurier is of the opinion that by sending him to England to confer with the authorities of the Colonial and India Offices, and such other departments of the British Government as may be desirable, a more complete and satisfactory understanding of the situation may be reached than would be possible by the necessary limitations of official correspondence.



“ Sir Wilfrid Laurier, therefore, recommends that Mr. King be commissioned to confer with the British authorities on the subject of immigration from the Orient and the immigration from India in particular, and that for that purpose he proceed to England immediately; also, that upon his return to Canada, Mr. King report to the Governor General in Council the result of his conference with the British authorities.”

#### THE COMMISSIONER'S REPORT.

The report prepared by Mr. King as a result of the above mission bore date of May 2, 1908, and was presented to Parliament on May 4. The Commissioner having outlined the circumstances of his appointment and quoted the text of the Order-in-Council relating thereto proceeded as follows:

“ Having been commissioned, as set forth in this report, I left Ottawa on March 5, and sailed for England from St. John, N.B., on the ss. *Empress of Ireland* on Friday afternoon, March 6, arriving at Liverpool on the morning of Saturday, the 14th, and at London on the afternoon of the same day.

“ On Monday, I called upon the Right Honourable Lord Strathcona and Mount Royal, the High Commissioner for Canada, and learned that His Lordship, anticipating my arrival, had arranged for an immediate introduction at the Colonial Office. On the following day, I was received by the Right Honourable the Earl of Elgin and Kincardine, Secretary of State for the Colonies, who arranged for interviews during the course of the same week with the Right Honourable John Morley, Secretary of State for India, and the Right Honourable Sir Edward Grey, Secretary of State for Foreign Affairs. The interviews of the first week were followed by interviews with Lord Elgin, Mr. Morley and Sir Edward Grey during the three subsequent weeks, as well as by interviews with other gentlemen of the Colonial, India and Foreign Offices. Of the interest taken in the subject of my mission by the British Ministers and officials of the several departments with whom by their direction I was privileged to confer, I cannot speak too strongly, nor can I lay too great emphasis on the sympathetic manner in which the representations made on behalf of the people of Canada were received or the frankness and fullness with which the whole subject in its many bearings was discussed. Notwithstanding that Parliament was in session, and that in some respects the pressure of their duties was exceptional, the time accorded by the Ministers was so considerable that it was possible, within the duration of four weeks, to effect such an interchange of views and to conduct such negotiations as affords reason for believing that a satisfactory understanding of the situation has been reached, in so far, at least, as an appreciation of Canada's position in regard to Oriental immigration is concerned, and as may serve to prevent such immigration from India as may not be desirable in the interests either of the natives of that country or of the people of this country. Having concluded the necessary conferences and negotiations, I returned from England to Canada by the same vessel, sailing from Liverpool on the afternoon of Friday, April 17, and arrived at Halifax on the afternoon of Thursday, the 23rd, St. John on the following day, and Ottawa on the 25th.



## NATURE OF INTERVIEWS.

“It is, perhaps, sufficient to direct attention to the words of the report of council above quoted, to the effect that foreign relations and considerations of high imperial importance are involved in the question of Oriental immigration, to make it apparent that a minimum of publicity is desirable in the matter of representations bearing upon this subject. It has seemed in the public interest, therefore, that the several representations and the views of the authorities of Great Britain and Canada respectively, should be set forth, together with an account of the negotiations, in a confidential memorandum to accompany this report, and that reference should here be made to such phases only as seem deserving of explicit mention, and the results of the negotiations outlined just in so far as may be necessary to afford a satisfactory understanding of the outcome of the mission. The adoption of this course will explain the brevity of this report.

“The question of the migration of peoples of the Orient, and the problems to which it gives rise, whether it be in connection with immigration or emigration as between different parts of the British Empire, or between portions of the British Empire and foreign countries, is by no means a new one to the British authorities. Australasia, South Africa and India have each forced a consideration of the subject upon the attention of British statesmen for years past. Of the outlying Dominions, Canada's experience has been the most recent, though in kind, the issues and possibilities involved are much the same. As between Great Britain and Canada the effect of this is not without its advantage to the Dominion. It has afforded in England a ready appreciation of Canada's position, and an understanding of the sort of considerations of which it is necessary to take account. That Canada should desire to restrict immigration from the Orient is regarded as natural, that Canada should remain a white man's country is believed to be not only desirable for economic and social reasons, but highly necessary on political and national grounds. With this general view is also held the particular one that in matters which so vitally affect her own welfare, Canada is the best judge of the course to be adopted, and that as a self-governing Dominion she cannot be expected to refrain from enacting such measures in the way of restriction as in the discretion of her people are deemed most expedient. As a corollary to this right of self-government is the understanding that British international alliances, and British connection, place no restrictions on the right of the Dominion to legislate as may be most desirable in matters affecting immigration. Whilst Canadian autonomy is thus fully conceded and respected, Canada's position as part of the British Empire is regarded as affording a sufficient guarantee that the exercise of her plenary powers in this particular will not be without a due regard to the obligations which citizenship within the Empire entails. The attitude of the Canadian Government, as evidenced by the present mission, was regarded as affording a most welcome and opportune expression of Canada's recognition of her responsibilities. Nothing could have been more cordial than the appreciation everywhere expressed, that in a matter so vitally affecting the interests of British subjects in remote parts of the Empire, Canada should have been the first to seek a conference with the parts affected, that the several policies might be brought into harmony and the wiser counsels of conciliation made to prevail.

“The variegated character of the British empire is in no particular, perhaps, more fully exemplified than in the circumstance that within its confines are to be found all the features which the problem of Oriental



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immigration presents. This fact differentiates to a degree, as compared with countries of a single nationality, some of the factors which are of vital moment in a consideration of the best methods by which to cope with the difficulties that arise, in that whilst new obligations are encountered, opportunities of mutual arrangement and concession are afforded which are often impossible as between countries of distinct sovereignties. A recognition of the good of the whole brings with it an attitude of forbearance and restraint in the several parts, and, what is all important, a comprehensive understanding is rendered possible.

“It was clearly recognized in regard to emigration from India to Canada that the native of India is not a person suited to this country, that, accustomed as many of them are to the conditions of a tropical climate, and possessing manners and customs so unlike those of our own people, their inability to readily adapt themselves to surroundings entirely different could not do other than entail an amount of privation and suffering which render a discontinuance of such immigration most desirable in the interests of the Indians themselves. It was recognized, too, that the competition of this class of labour, though not likely to prove effective, if left to itself, might none the less, were the numbers to become considerable (as conceivably could happen were self-interest on the part of individuals to be allowed to override considerations of humanity and national well-being and the importation of this class of labour under contract permitted) occasion considerable unrest among workingmen whose standard of comfort is of a higher order, and who, as citizens with family and civic obligations have expenditures to meet and a status to maintain which the coolie immigrant is in a position wholly to ignore.

#### CAUSES OF IMMIGRATION FROM INDIA.

“My inquiry under Royal Commission into the methods by which Oriental labourers have been induced to come to Canada, which was conducted in the city of Vancouver during the months of November and December of last year, though not extensively pursued so far as the immigration from India is concerned, was quite sufficient to show that this immigration was not spontaneous, but owed its existence, among other influences, to—

“(1) The distribution throughout certain of the rural districts of India, of glowing accounts of the opportunities of fortune-making in the Province of British Columbia, visions of fields of fortune so brightly hued that many an India peasant farmer, to raise the money for the journey, had mortgaged to the lender of the village his homestead and all that it contained at a rate of interest varying from fifteen to twenty per cent.

“(2) The activity of certain steamship agents who were desirous of selling transportation in the interest of the companies with which they were connected and of themselves profiting by the commissions reaped.

“(3) The activity of certain individuals in the Province of British Columbia, among the number one or two Brahmans who were desirous of exploiting their fellow-subjects; and certain industrial concerns which, with the object of obtaining a class of unskilled labour at a price below the current rate, assisted in inducing a number of the natives to leave under actual or virtual agreements to work for hire.

“A few of the natives may have emigrated to Canada of their own accord, or because of the desire of relatives, but had the aforementioned influences not been exerted, it is doubtful if their numbers would have been appreciable.



## METHODS ADOPTED TO RESTRICT IMMIGRATION.

“How these several influences have been counteracted and an effective restriction obtained by administrative measures in such a manner as to render legislative action unnecessary, will be apparent from an account of what has been accomplished, as the result, in part, of the present negotiations, and in part, of legislative enactments and regulations already in force, the application of which to this class of immigration has not been hitherto wholly apparent.

“(1) The misleading effects of the distribution by interested parties of literature of the class above described has been offset by warnings which the Government of India has issued, whereby natives have become informed of the risks involved in emigration to Canada and of the actual conditions in so far as it is desirable that such should be known to persons about to sever their connection with one country for the purpose of taking up residence in another.

“(2) The steamship companies which have been in any way responsible for the recruiting of emigrants, have been given to understand that the Governments of Great Britain and Canada, and the authorities in India do not view with favour any action on their part calculated to foster further emigration from India to Canada.

“(3) The power of the steamship companies to ignore the wishes of the governments has been rendered largely inoperative by the application to emigration from India of the regulation of the Dominion government, prohibiting the landing in Canada of immigrants who come to this country otherwise than by a continuous journey from the country of which they are natives or citizens, and upon through tickets purchased in that country.

“(4) The Indian Emigration Act (XXI. of 1883) was framed with the view of affording protection to the natives of India, who, at the instance of private individuals or corporations, might be induced to leave India to work under indenture or agreements for hire in other parts of the empire, or in foreign lands. It was found that once away from India, advantage was not infrequently taken of the necessities of this class of labour, and that individuals were subjected to great hardships and privation. To remedy this the Act provides that emigration in the sense of departure by sea out of British India of a native *under an agreement to labour for hire* in some country beyond the limits of India, other than the island of Ceylon or the Straits Settlements, is not lawful except to countries specified in the schedule of the Act, ‘and to such other countries as the Governor in Council from time to time by notification declares to be countries to which emigration is lawful.’ Every such notification ‘must contain a declaration that the Governor General in Council has been duly certified that the government of the country to which the notification refers, has made such laws and other provisions as the Governor General in Council thinks sufficient for the protection of emigrants to that country during their residence therein.’

“It is, therefore, to be said that emigration (in the sense defined) to Canada from India, is not lawful under the Indian Emigration Act, and cannot be made lawful except through the action of the Canadian Government in making the necessary laws, to the satisfaction of the Government of India, for the protection of Indian emigrants.

“It will, therefore, be seen, that of itself the Indian Emigration Act solves the problem, so far as it relates to the importation of contract labour from India to Canada, and this is the one class to be feared, since without some agreement to labour it is hardly to be expected that the



number of immigrants will be large. To render this law wholly effective so far as Canada is concerned, it would be sufficient to prohibit the landing in Canada of immigrants who come in violation of the laws of their own country.

“(5) With the danger of the importation of native labour under contract or agreement removed, there remains for consideration only such classes as might desire to emigrate from India of their own initiative, or as having left India and gone elsewhere, to China, for example, might be induced by agreement or otherwise, to emigrate to this country. To the immigration of the latter class the regulation of the Canadian government requiring a continuous passage from the country of which they are natives or citizens and upon through tickets, should prove an effective bar, whilst as to the former the same regulation, the warnings issued by the Government of India, and the greater care which it may reasonably be expected the steamship companies will exercise in the future, should prove a real deterrent. It will be apparent, moreover, that having regard for the policy of the India Government in the protection of the natives as set forth in the Indian Emigration Act, the Government of Canada is fully justified in requiring, as has been its policy, of persons coming to Canada, without a knowledge of conditions, and with manners and customs wholly different from our own, especially where such persons are ignorant of our language and are without any agreement guaranteeing work, that they should, for their own protection, be in possession of a sum of money sufficient to ensure their not being reduced to a condition of mendicancy or becoming a public charge. The regulation at present in force, requiring all immigrants to have in their possession a sum of at least \$25 constitutes a requirement which for the protection of the Indians themselves, is an obvious necessity. Should this amount prove inadequate it could be increased.

“There is thus, in the last analysis, a dovetailing, so to speak, of Great Britain's well-known policy in the protection of the native races of India, and Canada's policy in the matter of immigration.

#### A HARMONY OF POLICIES.

“Whilst effective as a means of restricting a class of immigration unsuited to Canada, it will be apparent that the arrangement as herein set forth is one which finds its justification on grounds of humanity as strong as are the economic reasons by which it is also supported. The liberty of British subjects in India is safeguarded rather than curtailed, the traditional policy of Britain in respect to the native races of India has been kept in mind, and the necessity of enacting legislation either in India or in Canada which might appear to reflect on fellow British subjects in another part of the Empire has been wholly avoided. Nothing could be more unfortunate or misleading than that the impression should go forth that Canada, in seeking to regulate a matter of domestic concern, is not deeply sensible of the obligations which citizenship within the Empire entails. It is a recognition of this obligation which has caused her to adopt a course which by removing the possibilities of injustice and friction, is best calculated to strengthen the bonds of association with the several parts, and to promote the greater harmony of the whole. In this, as was to be expected, Canada has had not only the sympathy and understanding, but the hearty co-operation of the authorities in Great Britain and India as well.”



V.—ORIENTAL IMMIGRATION.—C. ENQUIRY BY DEPUTY MINISTER OF LABOUR UNDER ROYAL COMMISSION INTO JAPANESE LOSSES IN ANTI-ASIATIC RIOTS.

The report of the Department for the previous year contained statements showing the result of the several enquiries conducted under Royal Commission by Mr. W. L. Mackenzie King, then Deputy Minister of Labour, into the losses sustained by the Japanese and Chinese residents of Vancouver, B.C., during the anti-Asiatic riots in that city in the month of September, 1907. The formal report of the Commissioner in the case of the enquiry into Japanese losses was not, however, presented to Parliament until after the close of the fiscal year, and was not, therefore, available at the time the annual report was prepared.

The report of the Commissioner in this matter was presented to Parliament on June 30, 1908. The Order-in-Council relating to this Commission bears date of October 12, 1907, and reads as follows:—

“ On a memorandum dated September 27, 1907, from the Secretary of State, representing that he has received a communication from Mr T. Nosse, Consul-General for Japan, in Canada, stating that he was in receipt of a cable message from the Foreign Minister in Japan calling attention to the damages and losses sustained by the Japanese residents in Vancouver during the riots in the early part of the month of September, 1907, and expressing the hope that in view of the cordial and friendly relations existing between Japan and Canada, the case may be settled at Ottawa independent of the British government and without going through the usual diplomatic channels.

“ The Minister, therefore, recommends that the losses sustained during the recent riots by the Japanese population residing in Vancouver be ascertained with a view to their payment, and that Mr. W. L. Mackenzie King, C.M.G., Deputy Minister of Labour, be appointed a Commissioner under the Inquiries Act, chap. 104, of the Revised Statutes, to conduct an inquiry into the losses and damages sustained by the Japanese population in Vancouver on the occasion of the recent riots in that city. The committee submit the same for approval.”

The claims made on behalf of the Japanese residents of Vancouver were submitted to the government by Consul-General Nosse; they amounted to nearly \$14,000, of which about \$2,500 was for broken windows, &c., and the balance chiefly for loss occasioned by the closing of Japanese shops during several business days.

Mr. Mackenzie King left Ottawa for Vancouver on Monday, October 14, arrived at Vancouver on Sunday, October 20, and commenced an inquiry under his commission on Monday, October 21. Mr. F. W. Giddens, of the Department of Labour, was appointed secretary and stenographer to the commission, and Mr. Howard G. Duncan, Vancouver, acted as counsel on behalf of the Japanese government.



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The Commissioner's report recited the steps taken by the Commissioner in opening the inquiry, and set forth the text of the notice issued to the public and the method by which the several claims were examined. The total number of claims presented was 107, of which eighty were for actual, and fifty-three for resultant or consequential losses. The total losses, as finally estimated, were fixed at \$3,036, of which those totalling \$1,553.58 were on account of actual damages and the remainder on account of resultant damages. In addition to this amount, it was recommended that the sum of \$600 be paid to the Japanese Consulate in reimbursement for sums expended in preparing estimates of claims, and an allowance of \$1,000 made on account of legal expenses. The sum of \$139, expended by claimants in declaring their claims, was also recommended to be reimbursed. The report quotes in full the forms of release signed by the several parties.

#### METHOD OF ESTIMATING CLAIMS.

With reference to the manner in which the amounts allotted to the several claimants were estimated, the Commission stated as follows:—

“The evidence taken before the Commission will illustrate in a sufficiently comprehensive manner the bases on which the amounts allotted to the several claimants were estimated. It is not necessary, therefore, to more than indicate, in this report, the nature of the investigation and the points to which it may be necessary to direct special attention. Most of the claims presented appear to have been fair and reasonable. The fact that there is a difference of some \$4,500 between the total amount claimed and the total amount awarded, is to be accounted for by the somewhat exorbitant claims made by one or two merchants for alleged losses in business, and more or less excessive claims made by some Japanese boarding-house keepers, who claimed indemnity for a time exceeding that for which it appeared reasonable to make an allowance, or who, in hiring guards for the protection of their property during the time of the riot and the days immediately succeeding, failed to exercise reasonable judgment in the amounts they expended on this score. It would appear, however, that the more responsible persons of the Japanese community in Vancouver, and, in particular, the merchant class, fixed with moderation the amount of the loss for which compensation was requested. In individual cases the amounts would indicate that the claimants had in mind an ‘entente honorable’ in the nature of some recognition rather than full compensation of actual losses or damages sustained.

“At the time of the riot, the Japanese consulate in Vancouver took immediate steps to ascertain the extent of the damage done to the several properties of the Japanese residents in the city. The services of a competent architect were retained to ascertain the actual damage and estimate the consequent loss. The consulate also retained a solicitor to assist in the preparation and declaring of the several claims, and the information thus collected was duly placed before the Commission. The civic authorities of Vancouver did not take any steps to ascertain the amount of the damage occasioned by the riot. With the exception, therefore, of the statement prepared at the instance of the Japanese consulate, there was no guide to the actual losses other than the sworn statements of the several claimants and the receipts produced by them for expendi-



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tures incurred in making good the damage to their property. As receipts were produced in all cases save those in which repairs had not been made at the time the Commission was sitting, there was not the trouble of assessing the losses on this score, which might have otherwise been occasioned. The one difficulty which presented itself was that of estimating the amount to be allowed a tenant, where the owner of the property was a person other than a Japanese resident of the city. In all such cases, a careful examination was made of the terms of tenancy, and damages allowed to the extent to which there was reason for believing that the losses incurred would fall upon the Japanese claimant. In the case of the actual damages, the estimate submitted was somewhat in excess of the amount subsequently expended in making repairs. With the preparation of this estimate the several claimants had had nothing to do, and the difference in amount was one which a British subject assessing losses under the circumstances might have reasonably conceded, in the absence of specific contracts or actual receipts. In estimating the resultant or consequential damages, special regard was had to the evidence of the civic authorities in regard to the nature and effect of the disturbances, as well as to the peculiar circumstances in which the Japanese colony in Vancouver found itself placed in consequence of the unexpected and unprovoked nature of the attack made upon it. In some cases a personal visit was made to the premises and an inspection had of the books of the claimants."

## ASSISTANCE ACKNOWLEDGED.

Referring to the assistance rendered to the Commission by Mr. Kishiro Morikawa, the Japanese Consul, and by Mr. Howard J. Duncan, counsel of the Japanese government, the Commissioner stated:—

"I desire to gratefully acknowledge the assistance given and the many courtesies extended throughout the enquiry and during my stay in Vancouver by Mr. Morikawa and the members of the Japanese consulate. While Mr. Morikawa took no part in the proceedings before the Commission, he was unsparing in his efforts to facilitate and expedite the enquiry, and but for the careful manner in which he anticipated in many particulars the needs of the Commission, it is certain that the investigation would have been materially prolonged. To Mr. Howard J. Duncan, the able counsel of the Japanese Government, the thanks of the Commission are also specially due, both for the care with which he advanced and safeguarded the interests of the several claimants and for the assistance given in eliciting facts relevant to the subject of the inquiry."

## CORRESPONDENCE BETWEEN THE COMMISSIONER AND MR. MORIKAWA.

The Commissioner drew attention to the following communications which passed between himself and Mr. Morikawa, the Japanese Consul:

"Vancouver, B.C., Nov. 15, 1907.

"Dear Sir,—

"On behalf of the Government of Canada, I beg to enclose a cheque for the sum of \$1,600, authorized by Order-in-Council, and payable to the



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order of His Imperial Japanese Majesty's Consulate at Vancouver, being an allowance of \$1,000 on account of legal expenses, and reimbursement to the amount of \$600 for amounts expended by the Japanese consulate in the preparation of estimates and claims of losses and damages sustained by the Japanese population in the recent riots in the city of Vancouver, and the presentation of these claims before the Royal Commission appointed to enquire into the said losses and damages.

"The Japanese Consulate at Vancouver has not presented any account for expenses incurred in the preparation of estimates and claims, or for professional services of counsel who appeared before the Commission on behalf of the Japanese Government. When, as Commissioner appointed to enquire into the losses and damage sustained by the Japanese population in Vancouver, I requested you to kindly let me have a statement of the amounts expended by the Japanese consulate, you intimated in reply that it was not your intention, or the desire of the Japanese consulate, to allow a consideration by the Government of Canada of any expenses which the Consulate may have incurred in the preparation and presentation of claims made on behalf of the Japanese population in Vancouver.

"As you are aware, the careful preparation of estimates and claims, and the presence of counsel, greatly facilitated the enquiry. This of itself, in the opinion of the Dominion Government, is a sufficient reason why all such outlays should be fully met. I have, therefore, to express the hope that on further consideration, you will find it possible to accept the enclosed cheque on account of expenses incurred by the Japanese Consulate in this connection.

"The Government has, by Order-in-Council, also authorized the payment of the sum of \$9,036 on account of losses and damages by the Japanese population in the recent riots, and the reimbursements to claimants the sum of \$139, expended by them in declaring their claims. Cheques in payment of the amounts due the several claims are at present being made out in accordance with the amount assessed as a result of the enquiry under Royal Commission just concluded. These cheques I hope to be in a position to hand to the several claimants some time to-morrow.

"I am, dear Sir,

"Very respectfully yours,

"(Sgd.) W. L. MACKENZIE KING,

"COMMISSIONER."

"VANCOUVER, B.C.

"M. KISHIRO MORIKAWA,

"HIS IMPERIAL JAPANESE MAJESTY'S CONSUL."

#### MR. MORIKAWA'S REPLY.

"His Imperial Japanese Majesty's Consulate,

"Vancouver, B.C., November 19th, 1907.

"Sir,—

"Permit me, on behalf of my Government, to thank you for your letter of the 15th instant, enclosing a cheque of \$1,600.00 as an allowance for expenses, legal and incidental, to my Government, in connection with the preparation and investigation of claims by Japanese residents for damages to their property in the unfortunate riots of the 7th September.



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I also thank you for the notification of the allowance of \$9,036.00 and costs of declaring claims by the Canadian Government for the payment of losses and damages sustained by the Japanese residents in the riot.

“I cannot too strongly express the satisfaction and approval of my Government in your award and adjustment of the losses and damages sustained by the Japanese residents here, a feeling, I am sure, shared by every claimant. If I may be permitted to say anything of a personal character, I would assure you that the great skill, unvarying patience and urbanity which marked your conduct of the Commission, has done much to restore the feelings of my countrymen here that the Canadian Government and the people of Canada are opposed to every element whose purpose is to defy the ordinary rules of decency in life, and the wider laws which bind nations in friendly accord.

“While appreciating the high and honourable motives which have prompted you and your Government to send me the cheque for \$1,600, I regret that it is impossible for my Government to accept a reward for protecting the interests and property of the subjects of Japan. This, and this only, is my reason for returning to you the cheque for \$1,600.00.

“You may assure your Government of my grateful acknowledgement of their generous course, a policy which I am sure will make for an increase of good feeling between our peoples.

“I have the honour to be, Sir,

“Your obedient servant,

“ (Sgd.) K. MORIKAWA,

“ H. I. JAPANESE M'S. CONSUL.

“ W. L. MACKENZIE KING, C.M.G., COMMISSIONER.

“VANCOUVER.”

## CONCLUSION.

The report concluded by quoting at some length from the address of the counsel of the Japanese Government at the last session of the Commission and from the remarks of the Commissioner in reply, both addresses relating to the desirability of racial animosities being curbed and softened and to the good effects in the promotion of international amity that must flow from an enquiry such as that which had been held before the Commission, and from the disposition shown by Canada to afford the amplest protection to all dwelling within its borders, no matter of what nationality. An appendix to the report showed in detail the amount allowed to each of the several claimants for actual or resultant losses and for declaring claims.



VI.—ORIENTAL IMMIGRATION.—D. ENQUIRY UNDER ROYAL COMMISSION BY DEPUTY MINISTER OF LABOUR INTO METHODS BY WHICH ORIENTAL LABOURERS HAD BEEN INDUCED TO EMIGRATE TO CANADA—PORTION OF REPORT RELATING TO IMMIGRATION FROM INDIA AND CHINA.

On November 5, 1907, a Royal Commission was issued to Mr. W. L. Mackenzie King, C.M.G., Deputy Minister of Labour, for the purpose of conducting an enquiry into the methods by which Oriental labourers had been induced recently to immigrate to Canada. The first portion of the report of the Commissioner, relating exclusively to emigration from Japan, was laid on the table of the House of Commons on January 20, 1908. The second and third portions of the report, dealing respectively with immigration from China and from India, were laid before Parliament on July 13, 1908. An abstract of the section first presented was printed in the annual report of last year; the sections presented later are dealt with in the present chapter.

To enable the result of the Commissioner's investigations to be more clearly understood, and to make the present narrative of events in this connection more intelligible and comprehensive, the conclusions framed by Mr. Mackenzie King with regard to that branch of his enquiry relating to Japanese immigration, though included in last year's report, are repeated on the present occasion.

The final chapter of the report closes in the following terms:—

“If the narrative of this report, in so far as it relates to the immigration of Japanese into the Province of British Columbia has helped to reveal anything of the true inwardness of the situation, it must be apparent that through the absence of statistical data, the public has lacked an amount of information a knowledge of which might have materially assisted in removing erroneous impressions as to numbers, an all-important factor in discussions on a question of this kind. How many of the Japanese who have come to Canada within the past year were former residents of this country can only be approximately estimated by a process of deduction; no inquiries of immigrants on this score have been made and no records kept. How many have held passports for Canada, how many for the United States and how many for Hawaii, could not have been told without some such inquiry as the present. It is only within the last few months that a record of this kind has been commenced at one of the ports, and none was being kept at the other. In drawing attention to these facts there is no reflection upon the immigration officers at Victoria and Vancouver. They appear to have performed their duties faithfully and well, and to have had such duties in addition to those with which they are already charged, would have made their task impossible of performance. I would respectfully submit for consideration the advisability of giving to the work of the immigration officers on the Pacific a wider significance than has hitherto been accorded or possibly been necessary, and would suggest that a staff adequate to all the duties should be maintained.



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“The practice of treating diseased immigrants might, it would seem, be discontinued on the Pacific coast without working any hardship save in exceptional cases; it would ensure greater precautions on the part of companies carrying immigrants and at the same time would lessen a little the duties of our own officers. It would seem reasonable, too, that Japanese holding passports for the United States should be required to present themselves for examination by the American officers before examination by our own; if rejected by the United States officers they should be declared *ipso facto* undesirables, so far as Canada is concerned, and not allowed to land.

“As for the Japanese immigration itself, the preservation of harmony between the several classes in the Province of British Columbia, no less than the furtherance of friendly relations between this country and Japan demands that there should be an effective restriction of the number of Japanese who shall be admitted to Canada each year. It is but fitting, however, that in providing for this restriction, account should be taken of the methods by which the immigration of the past year has been induced and that the responsibility for the large influx that has taken place should be placed where it properly belongs.

“If the present inquiry has revealed anything, it is that the Japanese Government has permitted to come to Canada during the past year, only the following classes:—

“(1) Merchants, officers, students and travellers to the number of about 100 as described.

“(2) Japanese formerly resident in Canada.

“(3) Such persons as may be designated ‘relatives’ or ‘friends’ of Japanese resident in Canada, and this only where the consul resident in Canada has certified that they were wanted, and that upon their arrival they would be sure of immediate employment or a home. This number has been approximately 190.

“(4) Contract labourers for work under a *bona fide* contract with a Canadian company or corporation, the *bona fides* of which contract has been certified to by the resident consul, and a duplicate of which has been produced at and approved of by the Foreign Office in Japan—a class of immigration which has been allowed only since April of the present year.

“With the immigration from Hawaii the Japanese Government has had nothing to do.

“Were the immigration of Japanese from Hawaii and all other points beyond the jurisdiction of Japan absolutely prohibited, and a stop put to the immigration of contract labour at the instance of individuals and companies in this country and immigration companies in Japan, and a like reserve shown in the future in the granting of passports to all other classes of persons as appears to have been practised in respect to these classes during the past year, the Japanese immigration to this country would not be such as, having regard for numbers, would be likely to cause any serious embarrassment to this country, or as to which exception could reasonably be taken. On the other hand, unless methods are adopted sufficiently effective to prohibit absolutely all immigration from Hawaii and the importation of contract labour from Japan, there are strong grounds for believing that the numbers of Japanese likely to enter Canada from the former islands will greatly exceed, within a few months, the numbers of the past year, and that the Canadian Nippon Supply Company and other like concerns will carry on a traffic in Japanese labour the like of which has not been equalled in the importation of any class of coolie labour that has ever been brought to our shores. I would most respectfully submit that an immediate consideration of this subject is desirable.



not only in the interest of the people of the Province of British Columbia, but of the whole Dominion, and that any effective solution demands prohibition of such Japanese immigration as may come from countries beyond the jurisdiction of Japan, and an absolute restriction in the numbers that come from Japan direct.”

IMMIGRATION TO CANADA.

Coming to the question of immigration to Canada from China the Commissioner stated as follows:—

“ To explain the immigration of Chinese to Canada during the past year, it is necessary to take account of the immigration from China during previous years, and the measures passed by the Dominion Government in regard to this immigration. It was in the days of gold discovery in the mines of Cassiar and Caribou in the early sixties, and of the construction of the Canadian Pacific Railway in the early eighties, that immigration from China to Canada took place on a considerable scale, there being no restrictions of any kind imposed. The numbers became such, however, that in 1884 the Government of the day found it necessary to appoint a Royal Commission to make inquiry concerning this immigration, and in the following year, 1886, a tax of \$50 per head was imposed on every Chinese immigrant. The number of Chinese who had come into Canada at that time was estimated as between nine and ten thousand. The Dominion Census for the year 1891 gave the total of Chinese in Canada as 9,129, of which number 8,910 were in British Columbia. From these figures it would appear that the large influx of Chinese into British Columbia during the building of the Canadian Pacific Railway, was well absorbed, nearly all apparently remaining in this country or others coming in to take their place. During the following decade the numbers so increased that in 1900 the Dominion Government increased the capita- tion tax from \$50 to \$100, the increase to take effect on January 1, 1901. It was contended by the people of British Columbia that this was inade- quate and ineffective in preventing Chinese immigration to Canada, and the Government, in the same year, appointed a second Commission to investigate concerning Chinese and Japanese immigration into the pro- vince. The census in 1901 gave the total number of Chinese in Canada as 16,792, of which by far the greater portion were in the Province of British Columbia. The Commission appointed in 1900 found that, as represented, the \$100 head tax upon Chinese was ineffective and inadequate, and recommended that the amount of the tax be increased to \$500. Adopting this recommendation, Parliament, in July, 1903, enacted a law placing a tax of \$500 on all Chinese entering the country, but its provisions did not come into force till January 1, 1904. The returns show that between June, 1900, and January 1, 1904, over 16,000 Chinese paid the tax of \$100, as follows: —

Fiscal year, June, 1900 to 1901 .. . . .	2,518
“ “ “ 1901 to 1902.. . . .	3,525
“ “ “ 1902 to 1903 .. . . .	5,245
June, 1903, to January 1st, 1904. . . . .	4,719
	<hr/>
	16,007

“In other words, the total Chinese population in Canada nearly doubled during the years 1900 to 1903, inclusive. Assuming that the bulk



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of the Chinese who came into the country remained here, it would appear that at the time the \$500 tax was imposed there were over 30,000 Chinese in Canada, most of whom were in the Province of British Columbia. What effect the new legislation had will be apparent from the following figures, which show the number of Chinese who have paid the tax in the years since the \$500 limit was imposed.

From January 1, 1904, to June 30, 1904 .. .. .	0
“ June 30, 1904, to June 30, 1905 .. .. .	8
“ June 30, 1905, to June 30, 1906.. .. .	22
“ June 30, 1906, to June 30, 1907 .. .. .	91
“ June 30, 1907, to March 31, 1908 .. .. .	1,482

## RESULT OF INCREASE IN TAX.

“Paradoxical as it may appear, the all but complete cessation of Chinese immigration which followed the increase of the capitation tax to \$500, which cessation continued up until the beginning of 1907, and the sharp upward movement which has taken place since, are each, in large measure, the result of the increase in the amount of the tax. . . . The imposition of a \$500 tax administered a death blow to the work of the labour agencies and contractors. For a while it raised an almost effective barrier against the natural tide. An advance of \$50 or even \$100 to emigrants coming under the guarantee of service was a risk which agencies or contractors, considering first the security of their profits, hesitated to incur; when this amount was raised to \$500, such an advance could no longer be considered as a business proposition. Likewise, the Chinaman who was desirous of having his relatives or friends share his opportunity, discovered that through the imposition of the tax the economic inducement to immigration had been suddenly swept away. At the rate of wages then current for Chinese labour, he could extend to his friends no hope of being able to recover, even after many years of industrious toil, an outlay for admission so considerable. The Chinese at home looked on the new tax as constituting an all but impossible barrier. The Chinamen in the new land had not yet seen how this barrier was to be surmounted. Then the economic effect of the tax gradually became apparent. The Chinaman who had landed in this country prior to January, 1904, discovered that the state, unwittingly perhaps, had, by restricting further competition from without, created of his labour a huge monopoly; without organization, without expense, without even agitation, every Chinaman became a unit in a labour group more favoured than the most exclusive and highly protected trade union. Then monopoly began to do its work. The Chinaman, discovered his protected position, sought the advance in wages which comes from an increasing demand and a diminishing supply. Within a couple of years the wages doubled, and in some instances, more particularly in the case of servants of a better class, trebled, and even went beyond this point. Yip Sang testified that before the \$500 tax was imposed, he paid Chinamen for packing fish, from \$25 to \$40 a month with food, that now he was obliged to pay for the same services, \$60 to \$70, that in other classes of employment Chinese were obtaining at the present time \$2.50 a day, where before the tax had been imposed, only \$1 was received. Thus, it has come about that as a result of the rise of wages consequent upon the monopoly created by the tax, Chinamen have found, speaking generally, that once in the country, it is possible to accumulate within half the time, the sum desired, and that thereafter the fortune from year to year is apt to be nearly, or more than double what it originally was.



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“It took about three years for the economic changes to work out, and for the Chinaman to become fully aware of the new situation; once cognizant of it, he began to advise his relatives and friends in China.

“With the betterment of their economic conditions, the number of Chinamen returning for a visit to their own country began to increase. This number has grown so steadily since the tax was imposed that during the closing months of the past year, the steamship companies found it next to impossible to afford the accommodation demanded by Chinamen desirous of returning for a short sojourn to their own land. Many Chinamen who have gone on a visit to their own country have brought back with them relatives or friends. Others who have remained in Canada have sent home money to assist in the bringing of others out. Some have simply furnished the information and have left it to the intending emigrant to procure in such way as he might, the amount that was necessary to pay his passage and the tax imposed.”

#### INCENTIVES TO CHINESE IMMIGRATION.

“The difference in the remuneration of labour in Canada and China, and the fact that the savings of a few years here, constitute a life fortune in China, have constituted the main incentives to emigration. The tax and its economic effects account for the numbers being what they are; the assistance given to their relatives and friends by Chinese, either here or in China, sometimes from humanitarian, sometimes from commercial motives, explain the means by which they have come. In addition to this a number of those who are coming at the present time are Chinese who have resided in the United States at one time, or have friends residing here at present. They know conditions on this side of the water, and not being permitted to enter the United States, are coming to this country.”

The Commissioner then recited the statements of thirty-three Chinese chosen at random among newly arrived immigrants during November, as showing the natural causes to which the immigration is due.

The portion of the report relating to Chinese immigration concluded as follows:—

“It will be apparent from the several statements herein set forth, that the immigration of Chinese during the past year has been due largely to the interest taken by those already in this country in their friends and relatives in China. Among the Chinese the family bond is a close one, and in their recognition of its obligations they set an example to other peoples. The number of Chinese in this country being so considerable, it is not surprising, all things considered, that their relatives and friends should be coming in the numbers they are.”

#### IMMIGRATION FROM INDIA.

Part III of the report, dealing with Hindu Immigration, gives the following account of the extent of immigration from India to Canada during recent years:—

“Of immigration from the Orient, that from India is the most recent. Until the year 1905 immigration from India was practically unknown. Such natives of India as visited Canada, prior to that time, were not immi-



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grants; they were, for the most part, tourists. The returns of the Immigration Department show that arrivals from India to Canada have been as follows:—

From June 30, 1904, to June 30, 1905 .. .. .	45
“ June 30, 1905, to June 30, 1906.. .. .	387
“ June 30, 1906, to March 31, 1907.. .. .	2,124
“ March 31, 1907, to March 31, 1908 .. .. .	2,623
Total .. .. .	5,179

“ Of this number, many were in transit for the United States.”

## CAUSES OF HINDU IMMIGRATION.

“Mr. David E. Brown, general superintendent of the Trans-Pacific Service of the Canadian Pacific Railway, who lived for fourteen years in Hong Kong, and had charge of the company's business in the Orient, when asked before the Commission if he could suggest what had brought the Hindus to Canada in such numbers within the past year, stated in reply that he would say that the movement had had its origin in the visit of the soldiers of the different colonies of the Empire to London, at the time of the Queen's Jubilee; that the Indian troops who had returned home via Canada had been made much of, and were impressed by the country and its opportunities; that Indians were employed very largely as police in Hong Kong, and that it was from among their number that the movement had started in the first instance. Asked what year that would be, Mr. Brown replied ‘five or six years ago, possibly three or four, it was about a year after, or two years after the Queen's Jubilee.’ When it was pointed out that the Queen's Jubilee was in 1897, Mr. Brown said: ‘Well, say five or six years after they would get back home. As satisfactory reports were sent back by these men on this side, others would be induced to come.

“There are some, doubtless, who share Mr. Brown's view, which at least, is an agreeable one, creating, as it does, the impression that immigration from India had its beginnings from a cause essentially imperial and patriotic. On the other hand, the evidence of the Indians who testified before the Commission indicates pretty clearly that the immigration from India which has been a matter of concern to the people of British Columbia, owes its origin to aims and methods which were anything but imperial or patriotic; that, in fact, the influx of recent years has not been spontaneous, but owes its existence in the main to (1) the activity of certain steamship companies, and agents desirous of selling transportation and profiting by the commissions; (2) the distribution throughout some of the rural districts of India, of literature concerning Canada, and the opportunities of fortune-making in the Province of British Columbia; and (3) the representations of a few individuals in the Province of British Columbia, among the number a Brahmin named Daviehand, and certain of his relatives, who induced a number of the natives of India to come to Canada under actual or verbal agreements to work for hire, the purpose being that of assisting one or two industrial concerns to obtain a class of unskilled labour at a price below the current rate, and at the same time, of exploiting their fellow-subjects to their own advantage. Some of the natives may have emigrated to Canada of their own accord or because of the advice or desire of relatives who had come to this country, but had the influences here mentioned not been exerted, it is certain their numbers would not have been appreciable.”



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The Commissioner quoted extensively from the evidence taken during the enquiry to show the part played by the steamship agents in inducing Hindu immigration to Canada. The evidence of fifteen Hindu immigrants was summarized to illustrate the causes of the immigration and the methods at work. The text of a circular issued in India by certain steamship agents was also given.

#### CONCLUSIONS *re* HINDU IMMIGRATION.

The Commissioner concluded the portion of his report referring to immigration from India with the following sentences:—

“It will be apparent from the brief review here given of a part of the evidence, that the immigration from India, and the methods by which it has been carried on, besides occasioning unrest in the Province of British Columbia, has resulted in great hardship and injustice to many of the Indians themselves. Apart altogether from the question of whether or not they are suited to this country, it is clear that without some supervision on the part of the authorities which will protect the natives from false representations, it is within the power of a few individuals to create a situation not only prejudicial to the lives and fortunes of hundreds of well-meaning and innocent persons, but of grave concern to the British Empire itself.”

#### GENERAL CONCLUSIONS *re* ORIENTAL IMMIGRATION.

The Commissioner closed his report with the following reference generally to the subject of Oriental immigration:—

“The inquiry into the methods by which Oriental labourers have been induced to come to Canada, while it has been concerned first with the immigration from Japan, second, with immigration from China, and third, with immigration from India, has revealed one circumstance of like application to all, and that is the necessity, if movements of this kind are to be properly regulated and controlled, of having in each of the countries of the Orient, a representative of the Dominion, whose duty it would be to keep the Canadian Government informed of matters affecting Canadian interests along other than merely commercial lines. Such representatives should be persons familiar with conditions in Canada, and Canadian affairs, and who might be expected to keep in touch with the official classes of the countries to which they are sent, and advise as to political or other policies of concern to the Dominion. A notification of what was happening in India or Japan, followed by intimations at the proper moment to the parties concerned, as to probable consequences, might have avoided much of the trouble of the past year, which, if it has any significance bespeaks a growing intimacy in our relations with the East, and the beginning of a class of problems which Canada hitherto has not been obliged to face.”



VII.—ORIENTAL IMMIGRATION. — E. ENQUIRY UNDER ROYAL COMMISSION BY DEPUTY MINISTER OF LABOUR INTO LOSSES SUSTAINED BY CHINESE RESIDENTS OF VANCOUVER, B.C., IN ANTI-ASIATIC RIOTS OF SEPTEMBER, 1907.

Mr. W. L. Mackenzie King, Deputy Minister of Labour, was on March 25, 1908, appointed a Royal Commissioner to enquire into the losses sustained by the Chinese residents of Vancouver, B.C., on the occasion of the riots in that city during September, 1907.

At the time the Commission was issued Mr. Mackenzie King was in England, engaged on a mission to confer with the authorities of Great Britain on the subject of immigration to Canada from the Orient and from India in particular. Mr. King proceeded to Vancouver as soon as possible after his return to Canada, reaching that city on May 24. The Commissioner's report of the enquiry was presented to Parliament on June 30 following.

The report set forth that Mr. Tung Cheng-Ling, attaché of the Imperial Chinese Legation in Great Britain, came to Canada to be present at the enquiry. Mr. Owyang King, Chinese consul at San Francisco, and Mr. Moy Bok Hin, Chinese consul at Portland, Oregon, were also present for the same purpose. Mr. George Cowan, K.C., acted as solicitor for the city of Vancouver, and Mr. Arthur McEvoy as counsel for the Chinese Board of Trade at Vancouver and for the other claimants.

The Commissioner reported that on the presentation of claims by the solicitor, it was pointed out that although the number was considerable, several had been omitted, and that as the Commission directed an enquiry into all losses, it was decided that any claim which might be presented within three days of the opening of the Commission would be considered.

The Commissioner's report stated that claims as presented through England amounted in all to \$26,774.61, of which amount \$2,568.98 was on account of expenses incurred by the Chinese Board of Trade, \$3,277.63 for actual damages, and \$19,928.00 for resultant damages. As amended by the addition of new claims and the alteration of amounts in certain of the original claims during the course of the enquiry, the revised total amounted to \$26,217.12, of which \$3,190.14 was on account of actual damages, and \$20,458 for resultant damages. In all, there were 227 claims presented, 125 being for actual and 102 for resultant damages. After a careful examination into each of the several claims, the Commissioner found that the losses amounted in all to \$25,990, of which amount \$3,185.00 was on account of damages to property, \$2,969 on account of losses incurred by the Chinese Board of Trade, and \$20,236.00 on account of losses consequent upon the suspension of business and in other ways.



## METHOD OF ESTIMATING CLAIMS.

The report contained the following remarks with reference to the method pursued in adjustment of the claims:—

“It can serve no useful purpose to set forth in detail the bases on which the several accounts allowed to the respective claimants were arrived at, other than to say that while a strict regard was had for the fact that all payments would be defrayed from public monies, the trust nature of which cannot be too constantly kept in mind, each claim was considered in the light of the material facts and circumstances with a view to seeing that full justice was accorded to every claimant.

“With the exception of the estimates prepared immediately after the riot by one of the leading hardware companies of the city of Vancouver, at the instance of the Chinese Board of Trade, on which estimate the several claims for actual damages were based, there did not appear to be any estimate of actual losses. The civic authorities took no steps to ascertain the amount of damage done. Nevertheless, the actual damages were easily assessed. They were almost exclusively incurred on account of broken windows, signs and glass, a good portion of which was plate. The accuracy of the estimate was vouched for by members of the firm by which they had been made, and was further verified by the production of receipts by the several claimants for amounts expended. In the case of damage to property, the claimant, if a tenant, was allowed the actual loss only where it was shown that it had fallen upon him, and not upon the owner. With but one or two exceptions, the claimants in the case of damaged property were the owners and Chinese residents, and there was not, as in the case of the settlement of the claims of the Japanese tenants for damage done to property owned by white people, the same difficulty of ascertaining to whom, in the last resort, the cost of the damage was properly chargeable. In the case of broken plate glass, the several claimants were questioned in regard to insurance, and an examination made of insurance policies, where such existed; but in no case did it appear that the policies held by them were of such a nature as to entitle the claimants to any compensation from the companies with which they had insured.

“In the case of the resultant losses, which were largely in the nature of business losses on account of the necessary cessation at the time of, and the days immediately following, the riot, the accuracy of the several statements presented with the individual claims was vouched for by Mr. Ow Yang King, under whose supervision the same had been prepared. It was stated by Mr. Ow Yang King that in the preparation of these statements, a careful examination of the books of the several claimants had been made wherever this was thought necessary or desirable. Before the Commission, these statements, which related to business being done at the time of the riot, were tested by a comparison with the businesses of the several claimants as actually existing at the time of the sittings of the Commission, as well as by a comparison in each case with the total business of the year, and by a comparison of the business of one firm with that of others, claiming like or different amounts. The claimants, almost without exception, appear to have exercised moderation and a sense of fairness in the amount at which their respective business losses were estimated. In only two cases was a claim made for losses beyond a period of six days. Some of the claimants took account only of losses on account of expenditures for the time during which their places of business had been



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closed, and omitted any reference to loss of profits during the same time. The only case in which there was any real difficulty in ascertaining resultant losses was in the amounts claimed for payments to guards in protecting property, and for boarding Chinese from different parts of the city, who took refuge in the dwellings of certain of the merchants during the time of the riot and the days immediately following. In assessing these losses, regard was had to the nature of the premises protected and the reasonableness of the number of persons alleged to have been employed or sheltered, and the amounts alleged to have been expended. Except in the case of restaurant keepers who lost some perishable goods, there were few claims for spoiled or damaged merchandize, and there were but one or two claims on account of loss of orders which it was alleged had been cancelled because of not being filled at the time of the riot.

“It appears that during the time of the riot, the Chinese residents purchased a considerable quantity of firearms and ammunition. The claimants were quite frank in their admission that these weapons had been purchased for the purpose of defence, and would, in all probability, have been used had further unwarranted attacks been made upon them. As it appeared that there was no necessity for the purchase of these firearms, any amounts claimed for payment on this score were wholly disallowed, as were also sundry small charges for the purchase of lanterns, hose and the like, which some of the claimants alleged they had obtained as means of protecting their property in the event of incendiarism.”

## EXCHANGE OF LETTERS.

The report contained a copy of the following communications exchanged between the Commissioner and the representative of the Chinese Government:

“VANCOUVER, June 11, 1908.

“Sir,—I have the honour to inform you that having made a careful examination under Royal Commission into the losses sustained by the Chinese residents of the city of Vancouver, in consequence of the anti-Asiatic riots in September of last year. I have, as directed in my commission, reported the result of the investigation, so far as relates to the total losses sustained, which I have estimated as amounting to \$25,990.00. I recommended that, in addition to this amount, the sum of \$1,000 should be allowed to the claimants on account of legal expenses.

“I have pleasure in further informing you that I have to-day received from Ottawa, a telegram stating that Council has approved the sums recommended for payment, and that an amount covering the same will be put in the supplementary estimates to be presented to Parliament at the present session, and will be paid to the claimants as soon as voted.

“I have the honour to be, Sir,

“Your obedient servant,

“ (Sgd.) W. L. MACKENZIE KING,

“ COMMISSIONER.

“ MR. TUNG CHENG-LING,

“ ATTACHE TO THE IMPERIAL CHINESE LEGATION OF LONDON,

VANCOUVER.”



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“ Vancouver, June 13th, 1908.

“ Sir,—I have the honour to acknowledge receipt of your favour of the 11th inst., informing me that after having made a careful examination, under Royal Commission, into the losses sustained by the Chinese residents of the city of Vancouver, in consequence of the anti-Asiatic riots of September last year, you have reported to the Governor-General of Canada in Council the result of the investigation so far as relates to the total losses sustained, which you have estimated as amounting to \$25,990.00, with the recommendation that an additional sum of \$1,000 be allowed to the claimants on account of legal expenses, and further informing me that you have received from Ottawa a telegram stating that Council has approved of the sums recommended for payment, and that an amount covering the same will be put in the supplementary estimates to be presented to Parliament at the present session, and will be paid to the claimants as soon as voted.

“ I have the honour to inform you that I will communicate the contents of your note to our Minister at London, and I have no doubt that he will be much pleased at the result.

“ In the present inquiries conducted by you, I beg to state that although officially neither my colleague nor myself could have been anything other than that of a spectator, yet personally we were much gratified by the fairness with which the inquiries were made and for the many courtesies you have shown us we desire to express to you our high appreciation and sincere thanks.

“ I have the honour to be, Sir,

“ Your obedient servant,

“ (Sgd.) TUNG CHENG-LING.

“ To MR. MACKENZIE KING, C.M.G.,

“ ROYAL COMMISSIONER, ETC.,

“ VANCOUVER.”

#### ACKNOWLEDGEMENT OF ASSISTANCE.

The report contains the following with reference to the assistance rendered the Commission by the claimants' counsel and by the Chinese officials:—

“ I have made mention of the presence of Mr. Tung Cheng-Ling and other Chinese officials at the sittings of the Commission. Their presence was not only gratifying, as an evidence of the appreciation of the Chinese Government of the action of the Canadian Government in instituting the investigation, but was also salutary as affording to the several claimants an assurance, if any such were needed, that their interests would be fully protected before the Commission. I have pleasure in acknowledging their assistance and courtesies wherever opportunity afforded. I desire to make special mention of the important services rendered by Mr. Owyang King in the preparation of the several claims, and of the valuable assistance given the Commission by Mr. McEvoy, the able counsel who appeared on behalf of the several claimants. But for the forethought and good judgment exercised by Mr. Owyang King and Mr. McEvoy at the



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time of the riots, and in the preparation of the several claims, as well as in their presentation, the duties of the Commission would have been arduous indeed, and the time necessary for investigation considerably prolonged.”

The report concluded with a reference to the opium traffic in British Columbia, concerning which information was disclosed in the course of the inquiry. A detailed statement was also given showing the amounts allowed the several claimants for actual and resultant losses.

A fuller statement on the subject of the opium traffic was subsequently issued by Mr. Mackenzie King in the form of a special report, an abstract of which appears in the next chapter.



VIII.—OPIUM TRAFFIC IN CANADA.—SPECIAL REPORT BY DEPUTY MINISTER OF LABOUR ON THE NEED FOR THE SUPPRESSION OF THE SAME.—TEXT OF LEGISLATION ENACTED.

In the report of Mr. Mackenzie King, the Deputy Minister of Labour, dealing with the settlement of the claims of the Chinese residents of Vancouver, B.C., for losses occasioned by the anti-Asiatic riots in September, 1907, attention was drawn to certain evidence given before the Commission disclosing the existence of opium manufacturing on a considerable scale in the Province of British Columbia. The Commissioner submitted that the operations of the opium industry should receive the immediate attention of Parliament and of the legislatures, with a view to the enactment of such measures as would effectually suppress the opium traffic in Canada, and wholly eradicate this evil and its baneful effects.

During the month of July a special report was presented to Parliament by Mr. King, dealing at some length with the need for the suppression of the opium traffic in Canada. It was pointed out that representations had been made on this subject to the Commissioner by the Anti-Opium League, an organization composed of Chinese residents of British Columbia. In reply, Mr. King stated that though he had no special authority to deal with the question in an official way, he would deem it a privilege as a citizen to look into the matter while in Vancouver and do his part to obtain the co-operation of the public authorities in the suppression of the evil. The League was invited to confer with Mr. King at any time for the purpose of further presenting the views of its members.

In referring to the further representations made before the Commission the Commissioner stated as follows:—

“ Subsequent to the receipt of the above communication, a deputation of three from the Chinese Anti-Opium League called upon me, and strongly urged my assistance to obtain the Government's help in their efforts to discourage and prevent the manufacture and sale of opium. Mr. Tung Cheng-Ling, the attaché of the Chinese Legation at London, England, who came to Vancouver to be present at the inquiry into the Chinese claims, also spoke to me upon the subject, and expressed the hope that in the interests of his fellow-countrymen, measures might be enacted which would lead to the suppression of this vice. I promised these gentlemen that I would give the matter attention, and took occasion to make a personal investigation of the factories in Vancouver, and to visit a number of so-called ‘ dens ’ where opium was being smoked. I also made inquiries from reliable sources as to the extent of the practice among Chinese and other people in the Province.”

“ Since my return to Ottawa,” continued the Commissioner, “ I have received a communication from the Anti-Opium League, containing the following resolution passed at its last meeting:—

“ ‘ Seeing that the use of opium is a social evil and the drug a destroyer of the lives of individuals and a detriment to the welfare of the community,



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the Chinese Anti-Opium League of British Columbia humbly prays that the Federal Government of Canada will decisively exercise its authority and powers to prohibit the importation, manufacture and sale of opium into Canada, so that the social, physical and moral conditions of both the Chinese and the Europeans who indulge in the use of and the abuse of the drug may in consequence, be vastly improved.' "

The Commissioner proceeded to submit facts and considerations which might in his opinion convey an adequate conception of the extent to which the traffic has developed in British Columbia, and to show how urgent is the need of prohibitory legislation.

## OPIUM TRAFFIC AT THE COAST.

" In the coast cities of Vancouver, Victoria and New Westminster," the report proceeds, " there are at least seven factories carrying on an extensive business in opium manufacture. It is estimated that the annual gross receipts of these combined concerns amounted, for the year 1907, to between \$600,000 and \$650,000. The crude opium is imported from India in cocoanut shells. It is 'manufactured' by a process of boiling into what is termed 'powdered' opium and subsequently into opium 'prepared for smoking.' The returns show that large amounts of crude opium have been imported annually, and that the value of the crude opium imported in the nine months of the fiscal year 1906-7 was greater than the value of the amount imported in the twelve months of the preceding year; the figures for these periods being \$262,818, and \$261,943, respectively.

" The factories are owned and the entire work of manufacture is carried on by Chinese, between 70 and 100 persons being employed. One or two of the factories have been in existence for over twenty years, but the majority have been recently established. It is asserted by the owners of these establishments that all the opium manufactured is consumed in Canada by Chinese and white people, but there are strong reasons for believing that much of what is produced at the present time is smuggled into China and the coast cities of the United States. However, the amount consumed in Canada, if known, would probably appall the ordinary citizen who is inclined to believe that the habit is confined to the Chinese and by them indulged in only to a limited extent.

" The Chinese with whom I conversed on the subject, assured me that almost as much opium was sold to white people as to Chinese, and that the habit of opium smoking was making headway, not only among white men and boys, but also among women and girls. I saw evidence of the truth of these statements in my round of visits through some of the opium dens of Vancouver."

The Commissioner quoted an item from a Vancouver paper referring to the appearance of two women in the police court at the time the Commission was in session and added the following comment:—

" It is almost inconceivable that such a story should have found a place on any of the court records of this country, and yet I was told by one of the leading physicians of Vancouver that he has been shocked at the number of cases of women addicted to the habit which have come to his notice in the regular course of his practice during the past year. As for the Chinese, the casual visitor to their quarter of the city may see them in numbers at any hour of the night or day indulging in and under the influence of this drug."



## PROVINCIAL LEGISLATION.

“What is hardly less surprising than the manufacture of opium,” continued the Commissioner, “is that its sale should be permitted, and this, in some districts without safeguards of any kind. It is true there is provincial legislation which to appearances should restrict the sale, but for some reason best known to the authorities, it seems to be openly ignored. Sections 16 to 18 of the Revised Statutes of British Columbia, 1897, Chap. 27, contain the following provisions:—

“Section 16. No person shall, within the limits of any incorporated city or town in this province, keep open shop for the retailing, dispensing or compounding poisons, or sell, or attempt to sell any of the articles mentioned in the Schedule “A” or Schedule “B” to this Act, unless such person is registered as a licentiate of pharmacy under the Act, under the penalty set forth in section 20 in this Act.”

“Section 17. Articles named or described in Schedule A or Schedule B shall be deemed to be poisonous within the meaning of the Act.”

“Section 18. No person shall sell any poison named in Schedule A either by wholesale or retail, unless the box, bottle, vessel, wrapper or cover in which such poison is contained, is distinctly labelled with the name of the article and the word poison, and if sold by retail, then also with the name and address of the proprietor of the establishment in which such poison is sold; and no person shall sell any poison mentioned in Schedule to any person unknown to the seller unless introduced by some person known to the seller; and on every sale of such article the person actually selling the same shall, before delivery, make an entry in a book to be kept for that purpose in the form set forth in Schedule to this Act, stating the date of the sale, the name and address of the purchaser, the name and quantity of the article sold, the purpose for which it is stated by the purchaser to be required, and the name of the person, if any, who introduced him, to which entry the signature of the purchaser shall be affixed, under the penalty set forth in section 20 of this Act; Provided the person actually selling the poison shall be liable to the penalty mentioned in this Act.”

“Schedule ‘A’ to the Act, to which reference is made in the above section, includes ‘Opium and its preparations, except paregoric and syrup of poppies.’

“Notwithstanding these provisions, sales of opium are made daily at certain of the Chinese shops without a single precaution being taken as prescribed in section 18, and without the person making the sale being ‘a licentiate of pharmacy’ as required by section 16. I witnessed several individuals come and make their purchases of opium, and have in my possession at the present time a quantity of the drug which I obtained across the counter of one of these shops. The vessel containing it is without label, name or address. I was not requested to enter a signature or answer a single question, and feel quite sure that no entry of its sale was ever made.

“In the face of open violation or neglect of the law of this kind, it is not so much a matter of wonder that the evil is gaining a foothold, and that as other countries are making it increasingly difficult for the drug to be obtained in any form, its importation, manufacture and sale should be growing apace in this land. The only effective remedy is to prohibit the importation, manufacture and sale alike, and this absolutely save in so far as an exception may be necessary for medicinal purposes only.”

## NEED OF DOMINION LEGISLATION.

“In enacting legislation to this end, the Parliament of Canada will not only effect one of the most necessary of moral reforms so far as the Dominion is concerned, but will assist in a world movement which has for its object the freeing of a people from a bondage which is worse than



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slavery. It is well known that the government of China, during recent years has been taking active measures to suppress the opium evil within the Chinese Empire. Referring to this action of the Chinese authorities the Times of India, of May 9, of the present year, has the following editorial reference:—

“ ‘Edicts emanating from the Chinese Government have not always fulfilled their purpose and Chinese promises have frequently fallen short of performances. There was some reason, therefore, for regarding Great Britain as quixotic in sacrificing a large portion of Indian revenue to meet the wishes of China in respect to the opium traffic. Impartial and unbiased reports from many different quarters leave no margin for doubt, however, that China is thoroughly in earnest, and that already the consumption of the drug has been greatly restricted. It is this fact that has caused opinion at home to veer round. The Chinese authorities have closed all the opium dens under their control, and it would be little short of a scandal if, after all the sympathy expressed for a people struggling to free themselves from the habit, the indiscriminate sale of opium were to be permitted in British settlements. Presumably, a clean sweep of these dens will shortly be made, not only in Hong Kong, but also in the Malay Straits and Ceylon.’ ”

“ The allusion to England’s sacrifice of Indian revenue will be understood from the following paragraph from the report of the ‘*Moral and Material Progress and Conditions of India* during the year 1906-7.’ ordered printed by the House of Commons on May 18, of the present year. At page 71, the report reads:—

“ ‘Towards the end of the year 1906, edicts were issued by the Government of China having for their object the suppression within ten years of the habit of consuming opium, and of the growth of opium, in China. Proposals were made for the co-operation of the Government of India in this object by the gradual restriction of the amount of opium exported from India to China. At the beginning of 1908 an arrangement was entered into by which the total quantity of opium (including Malwa opium) exported from India beyond seas will be limited to 61,900 chests in the calendar year 1908, 56,800 chests in 1909, and 51,700 chests in 1910. The question of making still further reductions after the year 1910 will depend upon whether China has, in the interval, effected a proportional reduction in its own production and consumption of opium.’ ”

“ In effect the step taken by the British Government, if continued, will mean an annual diminution of the Indian export of opium to China until the tenth reduction brings it to the vanishing point.”

## ACTION OF THE BRITISH GOVERNMENT.

“ The whole subject was fully discussed in a debate in the British House of Commons as recently as May 6, at which time the House adopted without a division a resolution to terminate the licensing of opium dens in the Crown Colonies, licensing having been, until recently, the method adopted of ‘regulating’ the traffic in those parts. The resolution was as follows:—

“ ‘That this House having regard to its resolution unanimously adopted on May 30, 1906, that the Indo-Chinese opium trade is morally indefensible, welcome the action of His Majesty’s Government in diminishing the sale of opium for export, and thus responding to the action of the Chinese Government in their arrangements for the suppression of the consumption of the drug in that Empire; and this House also urges His



Majesty's Government to take steps to bring to a speedy close the system now prevailing in some of the Crown Colonies, more particularly Hong Kong, the Straits Settlements, and Ceylon.'

"Colonel Seely, the Under Secretary of State for the Colonies, speaking on behalf of the Government, informed the House that on Monday, the 4th of May, the Government had telegraphed to the Governor of Hong Kong as follows:—'His Majesty's Government have decided that steps must be taken to close opium dens in Hong Kong, as they recognize that it is essential in dealing with the opium question in Hong Kong, that they must act up to the standard set by the Chinese Government.' In regard to Ceylon, a Commission which had sat had concluded its labours, and its recommendations were drastic. The Commission had recommended that the present system should be closed on the expiration of the existing license; that the importation, distribution and sale of the crude drug should be made a Government monopoly; that for every opium shop closed, the nearest Government dispensary should be made available for the distribution of the drug to habitual adult users, if they come forward to register their names, for a certain quantity to be periodically paid for in cash; that the use of the drug, except for medical purposes, should be absolutely prohibited after a definite period, and that a system of inspection should be introduced by the appointment of special officers for that purpose. The Governor of Ceylon had proposed, subject to the Secretary of State's approval, to accept and put in force all the recommendations, except that which urged prohibition after a definite time. The Secretary of State had that morning telegraphed to the Governor, sanctioning his proposals. As for the Straits Settlements, a Commission had been appointed to deal with the subject and was expected to report early in the autumn. On their report the Government proposed to take action. He could promise that in the Federated Malay States action would be taken which would lead with certainty in the direction of the ultimate extinction of the use of opium.

"During the course of the debate, the Right Honourable Sir Edward Grey, Secretary for Foreign Affairs, reminded the House that in 1901, the Secretary of State for India had declared that the Government would agree with China in any plan for the restriction of the consumption of opium brought forward in good faith, even if it caused some sacrifice and drew attention to the following decree issued by the Chinese Government on the 24th of March of the present year:—

" 'We have already directed by Imperial Decree, that regulations should be issued under which the use of opium, both foreign and native, should be totally suppressed within the period of 10 years. The British Government have now agreed to effect an annual reduction in the amount of opium exported to China, and other friendly powers are willing to assist. This enlightened policy on their part has greatly impressed us. Under the agreement with the British Government, the reduction of the exports is to be continued for three years, and if it is found at the expiration of that period, that China has effectively decreased the consumption and production of opium, the policy of reducing the exports will still be carried on. To allow these three years to slip by without taking measures for the abolition of the drug would be a poor return for the benevolent policy of a friendly power, and a deep disappointment to philanthropists of all nations.'

"Replying to a question in the House of Commons two days previously, Sir Edward Grey had said:—'No opium dens exist at present in any of the British concessions in China.'

"During the course of the debate on the above resolution the Right Honourable Alfred Lyttelton, former Secretary of State for the Colonies, congratulated the Government upon having taken a step which seemed to be entirely reasonable in the circumstances."



## ATTITUDE OF JAPAN.

“ The attitude of Japan towards the opium evil is both instructive and profitable. To quote from a report of a committee appointed by the Philippines Commission to investigate the use of opium and the traffic therein. ‘ the opium law of Japan, in the words of a government official of Tokyo, is “prohibitive and effective.” The opium law of Japan forbids the importation, the possession, and the use of the drug, except as a medicine, and it is kept to the letter in a population of 47,000,000, of whom 8,000 are Chinese. So rigid are the provisions of the law, that it is sometimes, especially in interior towns, almost impossible to secure opium or its alkaloids, in cases of medical necessity, and the government is determined to keep the opium habit strictly confined to what it deems to be its legitimate use, which use, even, it seems to think, is dangerous enough to require special safeguarding.’ ”

“ Article 159 of the Japanese law lays it down that any one manufacturing, having for sale, or growing opium in any form, shall be punished with penal servitude not exceeding seven years; and further, any person eating or smoking opium shall be punished with penal servitude not exceeding three years.

“ In 1895 China ceded to Japan the Island of Formosa. The bulk of the population of that island is still Chinese, numbering about two and a half million. Prior to the Japanese occupation, the Formosans were not restricted in their importation and use of the drug. It was a commercial matter only. It was estimated that seven per cent. of the entire population were smokers of opium. The system adopted was one of government monopoly and the method one of ‘ progressive prohibition.’ ”

## ATTITUDE OF THE UNITED STATES.

“ Strikingly similar has been the action of the United States Government in dealing with the opium evil in the Philippines. Under the Spanish law the right to sell opium for smoking and other purposes was farmed out in the various provinces to a wholesale dealer, who purchased the privileges at a public auction. In 1903 the Philippine Commission appointed the committee to which reference has been made. There were three members of this committee, one of whom, a former Canadian, was the Right Reverend Charles H. Brent, Episcopal Bishop to the Philippines. They were authorized to visit the various oriental countries to investigate the measures taken by the different governments for the purpose of suppressing the use of opium. One of the results of the investigations by this committee was the adoption by Congress in 1905, of an Act fixing a duty on crude and manufactured opium imported into the Philippine Islands, giving powers to the Philippine Commission to enact measures to restrict or prohibit the importation of opium, and providing that after March 1, 1908, ‘It shall be unlawful to import into the Philippine Islands opium, in whatever form, except by the government, and for medicinal purposes only, and at no time shall it be lawful to sell opium to any native of the Philippine Islands except for medicinal purposes.’ At the present time, therefore, all importation of opium into the Philippine Islands has ceased, except for medicinal purposes, and the importation for that purpose is made by the government only.

“ In the United States the importation of opium by the Chinese and trafficking in opium in China by United States’ citizens are prohibited by Act of February 23, 1887—an Act to provide for the execution of the provisions of Article 2 of the treaty concluded between the United States and the Emperor of China on November 17, 1880. The section of the Act forbidding the importation of opium by Chinese is as follows:—



“ ‘ The importation of opium into any of the ports of the Emperor of China is hereby prohibited. Every person guilty of a violation of the preceding provision shall be deemed guilty of a misdemeanour, and, on conviction thereof, shall be punished by a fine of not more than five hundred dollars nor less than fifty dollars, or by imprisonment for a period of not more than six months nor less than thirty days, or by both such fine and imprisonment, in the discretion of the court.’ ”

“By an Act of 1890, such opium as is manufactured in the United States is manufactured under the surveillance of officers and agents appointed by the government, and by American citizens only. They are obliged to give bonds and sureties for compliance with the many regulations of the Act. The sale of the drug is also carefully safeguarded.”

#### LEGISLATION IN GREAT BRITAIN.

“In Great Britain, opium, and all preparations of opium or of poppies are classified as ‘poison,’ and their sale is regulated by the Pharmacy Act of 1868, which makes it unlawful for any person to sell poisons unless such person is a pharmaceutical chemist, registered under the Act, and complying with the restrictions and safeguards which the law imposes.

“Other instances of legislative enactments to suppress the opium evil, and to protect individuals from the baneful effects of this drug, might be given, if further examples were necessary. What is more important, however, than the example of other countries, is the good name of our own. To be indifferent to the growth of such an evil in Canada would be inconsistent with those principles of morality which ought to govern the conduct of a Christian nation.”

#### LEGISLATION ENACTED.

Shortly after the presentation of this report, an Act “to prohibit the importation, manufacture, and sale of opium, for other than medicinal purposes,” was introduced into the House of Commons by the Honourable Rodolphe Lemieux, Minister of Labour, which passed through its various stages and received the Royal assent on July 20th.

The text of the Act, as assented to, is as follows:—

1. “Every person is guilty of an indictable offence and liable to imprisonment for three years, or to a penalty not exceeding one thousand dollars and not less than fifty dollars, or to both, who imports for other than medicinal purposes, under regulations to be established by the Minister of Customs, any crude opium or powdered opium, or who manufactures, sells, or offers for sale, or has in his possession for sale for other than medicinal purposes, any crude opium or powdered opium, or who imports, manufactures, sells, or offers for sale, or has in his possession for sale opium prepared for smoking.”

“2. It shall not be an offence under Section 1 of this Act to sell or offer for sale, or have in one’s possession for sale for other than medicinal purposes, opium in any of the said forms within six months after this Act comes into force, provided such opium is deposited in a Customs bonded warehouse for export under regulations to be established by the Minister of Customs.”



## IX.—THE OPIUM TRAFFIC IN THE EAST.—THE INTERNATIONAL OPIUM COMMISSION AT SHANGHAI.

The preceding chapter of the present volume has set forth the circumstances under which was brought to light the existence in Canada of a traffic in opium, the discovery being made in the course of an enquiry held before Mr. W. L. Mackenzie King, then Deputy Minister of Labour, into the claims of Chinese residents of Vancouver, B.C., on account of losses sustained during the anti-Oriental riots in that city during September, 1907.

Mr. King presented a special report on this subject which contained recommendations looking to the abolition of the traffic, and the recommendations were the basis of a bill which was enacted at the session of Parliament then in progress.

Some time subsequent to these proceedings the Dominion Government was requested to nominate a representative of Canada on the delegation which the British Government intended sending to an International Opium Commission called to meet at Shanghai in February, 1909, and in November, Mr. Mackenzie King was, on the nomination of the Dominion Government, appointed a member of the delegation. Mr. King, it should be remarked, had in the meantime ceased to be Deputy Minister of Labour, having in September, 1908, resigned his connection with the Department with a view to entering public life, and had been subsequently elected a member of the Dominion Parliament.

The following countries were represented on the Commission, viz., Great Britain, the United States, Germany, France, Russia, the Netherlands, Portugal, China, Japan, Siam, India and Canada.

Five commissioners were appointed by the British Government as follows, namely, The Right Honourable Sir Charles Cecil Clementi Smith, G.C.M.G., formerly Lieutenant-Governor and Colonial Secretary of Ceylon and Governor and Commander-in-Chief of the Straits Settlements, and who had served on a number of important British Commissions in Europe and the Far East; Sir Alexander Hosie, F.R.G.S., Consul-General for the province of Szechuen since 1902, and Acting Commercial Attaché of the British Legation at Peking; Mr. W. L. Mackenzie King, C.M.G., Member of the Canadian House of Commons; Mr. J. Bennet Brunyat, of the Civil Service, India; and Mr. R. Laidlaw, Member of the British House of Commons.

On behalf of the United States, the President of that country appointed as Commissioners, The Right Reverend Charles H. Brent, Missionary Bishop of the Philippine Islands; Dr. Hamilton Wright, well known in medical and scientific circles; and Dr. Charles D. Tenney, Secretary of the American Legation at Peking.



## NATURE AND OBJECT OF COMMISSION.

This world-commission was proposed in the first instance, it is understood, by the Government of the United States, and the proposal was made that the Commissioners of the several countries when assembled in China should conduct a joint and impartial investigation into the scientific and material conditions of the opium trade and habit in the Far East which affect the possessions and direct interests of the several countries in that part of the world. The representatives of each nation participating in the proceedings were expected to be in a position, when the conference assembled, to report independently on the opium question on behalf of their respective countries, with a view to devising means to limit the use of opium in the territories or possessions of such countries and to ascertain the best means of suppressing the opium traffic wherever it exists. It was understood that when the Commission met in Shanghai, the representatives of the various powers would be prepared to co-operate and to offer jointly and severally, definite suggestions of measures which their respective governments might adopt for the gradual suppression of the opium cultivation, traffic and use, thus assisting China in her effort to eradicate the evil from her empire. The individual Commissions, it was expected, would inform the General Commission when it met at Shanghai as to the regulations and restrictions in force at present in their respective countries or possessions, and would be prepared to formulate and discuss proposals for amending such regulations in points in which they may be found, in the course of the joint enquiry, to affect the production, commerce, use and disadvantages of opium in the Far East.

It will be seen that the Commission was to be of a character which would entitle it to take rank among the largest and most important which the world has known. It is doubtful, in fact, if there has ever been a gathering of the kind in which the empires of the east and the west have been brought into such intimate association.

The meeting of the Commission was originally fixed for January 1, 1909, but the sudden deaths of the Emperor and Dowager Empress of China late in the month of November occasioned a postponement of its proceedings for a month.

Mr. King sailed from New York on December 16, reaching England on December 22. The Commissioner spent some days in England discussing with the various governmental authorities concerned, at their request, certain aspects of the Oriental immigration question with which he had become familiar by reason of the different investigations and missions relating to that subject conducted by him while Deputy Minister of Labour. He proceeded from England to India and thence to Shanghai, the place of meeting of the International Opium Commission. While in India, Mr. King took advantage of the opportunity to investigate some phases of the question of immigration from that country to Canada and to discuss the same with the authorities of India.

From official reports of the Opium Commission which have been received in the Department, a brief statement of the proceedings at Shanghai, so far as they may be of special interest to Canada, has been prepared.



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The Commission opened on February 1 and continued from day to day until February 26, the Right Rev. Dr. Brent, Bishop of the Philippines and Chief Commissioner from the United States presiding. Bishop Brent, it may be mentioned, is himself a native of Canada and a graduate of Trinity University, Toronto.

## PRESIDENT'S OPENING ADDRESS.

The exact nature of the Commission and the spirit in which it approached the opium problem are, perhaps, best shown in the following sentences from Bishop Brent's opening address:—

“It devolves upon me to pronounce with emphasis that this is a Commission, and to those who are informed—as all of you must be in matters that pertain to International affairs of this kind—a Commission is not a Conference. The idea of a Conference was suggested, but it seemed wise to choose this particular form of action rather than a Conference, because, for the present, at any rate, we are not sufficiently well informed, and not sufficiently unanimous in our attitude, to have a Conference with any great hope of immediate success. Further, this Commission is a temporary Commission as distinguished from some of the permanent Commissions already in existence, and if we were to look for the source of our origin, I think we would find it in the articles of the Second Hague Conference, which provides for such International Commissions of Inquiry where points of difference on matters kindred to that which is before us arise between the Powers. So that in all our deliberations and in all our committee work, we must bear in mind that we are to confine ourselves to facts that will enable us to reach, I trust, certain unanimous recommendations of a practical, broad and wise character in connection with those resolutions. But, if I may be permitted to make a suggestion to this assembly, it seems to me that it would be extremely wise if we were to rule out of our deliberations what might be termed useless historical questions beneath which a great deal of controversy lies hidden, and which would only tend to fog the issue. The one way to reach a satisfactory solution of a grave problem is to simplify, as far as possible, the elements of that problem, and I believe that history bears me out when I say that no great question has ever been satisfactorily settled until men have come to a realization of the fact that purely side issues, and controversial matters which do not touch the main question, must be set aside and ignored. They may be of interest, but they are of no practical importance and, indeed, are impediments in the actual working out of the main question.

“I feel that I am speaking not merely for myself and my colleagues on the American Commission, but for this entire distinguished assembly, when I say that we are here to do such work as will bring the utmost credit to our respective countries and the utmost benefit possible to mankind. We must study this question in its every aspect—moral, economical, and commercial, diplomatic also, if you will—and we must study it, as I have already said, with those two phases of courage which will bring us to a happy conclusion of our labours—with sincerity and thoroughness.”

## THE CANADIAN DELEGATE'S REPORT.

During the proceedings reports were presented on behalf of the various countries represented. That presented by Mr. Mackenzie King set forth the position of Canada with regard to traffic in opium and morphine respectively



and gave figures showing what had been the extent of the traffic in these two extracts during a number of years previous. In the case of opium it was shown that by the statute enacted on July 20, as stated in the preceding chapter, the importation, manufacture, and sale of opium for other than medicinal purposes had been prohibited under heavy penalties. The amount of crude opium imported into Canada during the five years less 3 months ending March 31, 1908, was 322,797 lbs., valued at \$1,290,688; of powdered opium there had been imported in the same period 12,454 lbs., valued at \$38,883. There had been a tendency to increase; the imports for the last of the five years named being 40 per cent. higher than those for the first year of the period. The revenue derived from opium imports during the period named had amounted to \$267,364.

In the case of morphine the report mentioned that during the same session of the Dominion Parliament at which was passed the Act suppressing the opium traffic was enacted an Act making stringent regulations governing the importation, manufacture or sale of proprietary or patent medicines. The statistics adduced showed that during the five years (less three months) ending March 31, 1908, the amount of morphine imported into Canada reached 19,629 ounces.

#### RESOLUTIONS OF THE COMMISSION.

The following resolutions were adopted as a result of the deliberations of the Commission:—

#### *Be it Resolved:*

1. THAT the International Opium Commission recognizes the unswerving sincerity of the Government of China in their efforts to eradicate the production and consumption of opium throughout the Empire; the increasing body of public opinion among their own subjects by which these efforts are being supported; and the real, though unequal, progress already made in a task which is one of the greatest magnitude.

2. THAT in view of the action taken by the Government of China in suppressing the practice of opium smoking, and by other Governments to the same end, the International Opium Commission recommends that each delegation concerned move its own Government to take measures for the gradual suppression of the practice of opium smoking in its own territories and possessions, with due regard to the varying circumstances of each country concerned.

3. THAT the International Opium Commission finds that the use of opium in any form otherwise than for medical purposes is held by almost every participating country to be a matter for prohibition or for careful regulation; and that each country in the administration of its system of regulation purports to be aiming, as opportunity offers, at progressively increasing stringency. In recording these conclusions the International Opium Commission recognizes the wide variations between the conditions prevailing in the different countries, but it would urge on the attention of the Governments concerned the desirability of a re-examination of their systems of regulation in the light of the experience of other countries dealing with the same problem.



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4. THAT the International Opium Commission finds that each Government represented has strict laws which are aimed directly or indirectly to prevent the smuggling of opium, its alkaloids, derivatives and preparations into their respective territories; in the judgment of the International Opium Commission it is also the duty of all countries to adopt reasonable measures to prevent at ports of departure the shipment of opium, its alkaloids, derivatives and preparations, to any country which prohibits the entry of any opium, its alkaloids, derivatives and preparations.

5. THAT the International Opium Commission finds that the unrestricted manufacture, sale and distribution of morphine already constitute a grave danger, and that the morphine habit shows signs of spreading; the International Opium Commission, therefore, desires to urge strongly on all Governments that it is highly important that drastic measures should be taken by each Government in its own territories and possessions to control the manufacture, sale and distribution of this drug, and also of such other derivatives of opium as may appear on scientific enquiry to be liable to similar abuse and productive of like ill-effects.

6. THAT as the International Opium Commission is not constituted in such manner as to permit the investigation from a scientific point of view of anti-opium remedies and of the properties and effects of opium and its products, but deems such investigation to be of the highest importance, the International Opium Commission desires that each delegation shall recommend this branch of the subject to its own Government for such action as that Government may think necessary.

7. THAT the International Opium Commission strongly urges all Governments possessing Concessions or Settlements in China, which have not yet taken effective action toward the closing of opium divans in the said Concessions and Settlements, to take steps to that end, as soon as they may deem it possible, on the lines already adopted by several Governments.

8. THAT the International Opium Commission recommends strongly that each delegation move its Government to enter into negotiations with the Chinese Government with a view to effective and prompt measures being taken in the various foreign Concessions and Settlements in China for the prohibition of the trade and manufacture of such anti-opium remedies as contain opium or its derivatives.

9. THAT the International Opium Commission recommends that each delegation move its Government to apply its pharmacy laws to its subjects in the Consular districts, Concessions and Settlements in China.



## X.—REPORT OF ROYAL COMMISSION ON INDUSTRIAL DISPUTES IN COTTON FACTORIES IN THE PROVINCE OF QUEBEC.

Mr. W. L. Mackenzie King, Deputy Minister of Labour, was appointed during June, 1908, a Royal Commissioner to investigate the conditions of the cotton industry in the Province of Quebec with special reference to the frequent interruption of work in that industry as a result of strikes and lockouts. There had been from these causes during the earlier portion of the summer of 1908 a heavy loss of employment to the operatives of the cotton mills of the Province of Quebec and the relations between the cotton companies and their employees seemed not to be such as offered hope of speedy improvement in conditions.

The Order-in-Council appointing the Commission and setting forth the duties of the same bore date of June 29 and was as follows, viz.:—

“On a memorandum, dated May 27, 1908, from the Minister of Labour, representing that during recent years frequent industrial disputes have arisen in the cotton factories of the Province of Quebec, which have occasioned severe losses to both employers and employees, and have seriously affected the general welfare of the localities particularly concerned;

“That many of the cotton mills have lately reduced the wages of the employees, as a consequence of which, it is estimated there are at the present time, about six thousand operatives unemployed, either directly or indirectly in consequence of a strike or for other causes;

“That with a view to the establishment of more harmonious and satisfactory relations between employers and employees in this industry, it is advisable that an inquiry be made into and concerning such disputes and the nature and causes thereof;

“That the manufacture of cotton not being an industry in the nature of a public utility, an investigation under the provisions of the Industrial Disputes Investigation Act, 1907, cannot be conducted without the consent of both employers and employees, which joint consent has not been obtained.

“The Minister therefore recommends that it be referred to William Lyon Mackenzie King, C.M.G., Deputy Minister of Labour, as Commissioner under the provisions of Part 1 of Chapter 104 of the Revised Statutes of 1906, commonly called ‘The Inquiries Act,’ to hold and conduct such inquiry, with all the powers conferred therein upon commissioners, and that the said William Lyon Mackenzie King be allowed the amount of his actual and necessary disbursements in the execution of the said Commission.

“The Minister further recommends that the Commissioner have the right to determine the manner of conducting the proceedings in respect of such inquiry, and to make inquiries and investigation concerning the relations between employers and employees in the same or kindred industries in industrial centres other than those immediately affected with a view of making such recommendations as in his opinion may serve to promote amicable relations between employers and employees and to minimize the frequency and magnitude of industrial disputes in this industry.



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“The Minister further recommends that the Commissioner be authorized to employ a stenographer for the purpose of taking down and recording the evidence, and to have such other assistance as in the opinion of the Minister of Labour may be necessary to have the inquiry conducted as thoroughly and expeditiously as possible, and that the Commissioner report to the Minister of Labour the evidence and proceedings, together with such opinions as he may see fit to express thereon.”

The Commission to Mr. Mackenzie King was issued under the same date. The Deputy Minister of Labour was, at the time, in Vancouver, B.C., conducting the enquiry under Royal Commission into the losses sustained by Chinese residents of that city on the occasion of the anti-Oriental riots of September, 1907. This enquiry and certain departmental duties requiring attention occupied Mr. King until July 15 when the present enquiry was undertaken. The report of the Commissioner, bearing date of September 15, was laid on the table of the House of Commons on Monday, January 25, 1909, by the Minister of Labour.

The report shows that the enquiry before the Commissioner commenced on July 15 at Montreal, continuing with brief intermissions variously at that city, Valleyfield, Que.; and Magog, Que., until August 8.

The Commission also visited the mills of the Dominion Textile Company at Montmorency.

The evidence of fifty-six witnesses was taken before the Commission, the number including the managers and chief officers of the Dominion Textile Company and the Montreal Cotton Company, twelve superintendents and overseers, the leading union officials, twenty-three male operatives and nine female operatives. One of the chief factory inspectors of the Province was also examined.

The Commissioner pointed out in his report that the proceedings were materially shortened by the action of the officials of several companies in filing with the Commission detailed statements the accuracy of which was duly attested, showing salaries paid, rates of wages and hours of employment, and changes and hours during previous years, also statements showing the number of operatives employed and the causes and results of industrial disputes during the present, and previous years. Mr. Mackenzie King remarks that there was on the salient features of the inquiry very little conflicting testimony, and the prolongation of the inquiry would therefore have tended only to confirm testimony already given.

The Commissioner stated that frequent reference being made by both employers and employees to the conditions relating to the cotton industry of the United States it was considered desirable, with a view to securing accurate information, as well as for the purpose of comparison, to visit some of the larger cotton mills in that country, and during the month of August, Mr. King visited mills in Lowell, Mass., and Fall River, Mass., of a class similar to those in Canada. Mr. King was allowed personally to inspect these establishments, and had many valuable interviews with leading representatives of the industry. The Commissioner also conferred with officials of the State Bureaus of Labour in Massachusetts, New York and New Hampshire concerning the legislation and industrial conditions in these States as they affected cotton operatives.



The parties interested followed the proceedings of the Commission closely from day to day, it is stated, and were represented by their counsel. Mr. J. H. Montgomery appeared for the Dominion Textile Company and the Montreal Cotton Company, the two corporations controlling the cotton mills in the Province of Quebec. The operatives were divided into two groups through a division existing at the time in their ranks, each group being represented by its own counsel, the two counsels being Messrs. P. R. DuTremblay and J. C. Dumbray. The examination of witnesses was conducted by the different counsel and by the Commissioner.

Mr. King acknowledges "the helpful services rendered by Mr. Francis W. Giddens, as secretary, and Mr. Victor DuBreuil as interpreter." "The efficient manner," he adds, "in which these officers of the Department of Labour discharged their respective duties greatly facilitated the work of the Commission."

#### THE COTTON INDUSTRY OF CANADA.

The Commissioner devoted the earlier portion of his report to a general statement of the result of his investigations regarding the extent of the cotton manufacturing industry in Quebec, the various establishments being named and details as to their respective strength being set forth as follows:—

"With the exception of the Wabasso Cotton Company, Ltd., of Three Rivers, and the Mount Royal Spinning Co. of Montreal, both of which have been organized within the past year, but have not yet commenced active operations, the cotton factories of the Province of Quebec are owned and controlled by either the Dominion Textile Company, Ltd., or the Montreal Cotton Company, Ltd. The latter corporation is the older of the two, having been formed in 1888. Its head offices are located at Montreal, and its mills, when working under normal conditions, employ about 2,500 operatives, of whom over 1,500 are males and about 1,000 females. The Dominion Textile Company was organized on January 4, 1905, and subsequently took over the management of the Dominion Cotton Mills Company, The Merchants Cotton Company, The Montmorency Cotton Mills Company, and the Colonial Bleaching and Printing Company. Its head offices are also at Montreal, and it has mills at St. Henri, Hochelaga, St. Ann's, Magog and Montmorency. Employment is given in normal times to over 5,000 operatives, of whom between 2,500 and 3,000 are males and between 2,000 and 2,500 are females. During May of the present year, these operators were distributed between the several mills as follows: Merchants, St. Henri, 1,366; Colonial, St. Henri, 181; Hochelaga, 1,098; St. Ann's, 409; Magog, 548; Magog Print Works and Mechanical, 377; Montmorency, 1,055, making the total number of employees, 5,044.

"The other cotton manufacturing companies in Canada are: The Canada Colored Cotton Company, with mills at Cornwall, Hamilton, Marysville and St. Croix; the Cornwall and York Cotton Company, with mills at St. John, N.B.; the Hamilton Cotton Company, with mills at Hamilton; the Imperial Cotton Company, with mills at Hamilton; the Cosmos Cotton Company, with mills at Yarmouth, N.S.; the Mount Royal Spinning Company, a new company just organized at St. Henri in March, 1907; Wabasso Cotton Company, Three Rivers (recently organized). Of these the Dominion Textile Company controls the mills at Moncton, employing in May, 1908, 255 hands; the mills at Windsor, employing 195 hands; the mills at Kingston, employing 267 hands, and the mills at Halifax, employing 345 hands.



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“The Dominion Textile Company employs in all over 6,000 hands, of which number more than half are males.

“According to the last Dominion census (1901) the total number of persons employed in the cotton manufacturing industry in Canada was 11,882, of which number 6,615, or more than half, were employed in the Province of Quebec.”

## ORGANIZATION AMONG COTTON WORKERS.

Considerable attention was next given to the question of organization among the cotton mill employees, the nature of the different organizations effected and their attitude towards the companies. The historical side of the question was dealt with in some detail. Reviewing, in outline, the history of trade unionism in the cotton industry of Canada, the Commissioner points out that, in a period of a less than a decade, some of the operatives had belonged to organizations as follows:—

“1. A local organization embracing in its membership not merely operatives of a particular class, but persons of various trades and callings.

“2. The National Trades and Labour Congress, unlike the Knights of Labour and the Dominion Trades and Labour Congress, in that its members belong to locals with no international affiliations; unlike the Knights of Labour, but like the Dominion Congress in that the membership of the several locals is made up of persons belonging to a particular trade.

“3. The United Federation of Textile Workers of America; an international federation restricted to operatives in the textile trades.

“4. The Federation of Textile Workers of Canada; an organization the membership of which is likewise restricted to operatives in the textile trades, but which confines its membership to persons resident in the Dominion.

“5. The International Spinners' Union of America, an organization which is limited in its membership to one particular class of operatives, but international in its jurisdiction.

“6. The Union Amicale, a local organization differing from the recognized trade union in that it admits to membership certain of the companies' officials, and which from its constitution would appear to partake rather of the nature of a benefit society than a regular trade union.

The Commissioner dealt at some length with the incident of the establishment of the Federation of Textile Workers of Canada in 1907, and the differences which sprang up among the leaders of the Federation in the spring of 1908.

## CAUSE OF DISPUTE OF 1908.

It was while these differences were a subject of discussion that on April 25, 1908, the companies announced their intention to effect, on May 4, a reduction of 10 per cent. in the wages of all operatives. A considerable difference of opinion arose between the two factions of the employees as to the attitude to be assumed on this reduction; one group favouring an acceptance, another group opposing. There had been a good deal of short time during the preceding winter, and the Commissioner pointed out that a reduction in the wages rate following this seemed to the operatives a hardship amounting to injustice, “the keen sense of which was not lessened by public statements of



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the Company in which substantial dividends and accounts of business extension reflected the prosperity of the preceding year." Strikes and lockouts followed, in the course of which from 5,000 to 6,000 employees were affected, and a total loss of 133,000 to 134,000 working days entailed. With respect to the responsibility for this particular strike the Commissioner remarked that investigation had convinced him that it should be divided between the employers and the leaders of the Federation itself. The division in the ranks of the Federation found expression before the Commission in the appearance of separate counsel representing each of the contending factions.

"With the Union Amicale as a third element, the differences between the workers were presented before the Commission from three different points of view, with the result that a major part of the testimony had to do with the antagonisms of the contending factions within the ranks of the workers, and only secondarily with such grievances as were of common concern or had an immediate bearing upon the conditions of employment.

"What the membership in these several organizations has been and what the membership is among such of these organizations as are still existing," observed the Commissioner further on, "is a matter on which the estimates presented to the Commission varied so widely that it would be dangerous to hazard an opinion. It was admitted that membership in the several organizations had been considerably reduced in consequence of the division and dissension, as well as unemployment occasioned by the strike and depression in the trade. As the parties themselves were averse to making public the membership as given in exhibits filed before the Commission, it may be as well to make no reference to numbers here."

#### COMPANIES' METHODS OF PROCEDURE.

The Commissioner particularly criticized, so far as the companies are concerned, the manner in which employees were informed of the intended reduction in wages, namely, by the following notice posted in the several mills on Saturday, April 25:—

#### MERCHANTS' BRANCH.

"A reduction of 10 per cent. in wages of all employees will go into effect on the 4th of May, 1906.

"DOMINION TEXTILE COMPANY, LIMITED.

"*Merchants' Branch.*"

"A little conferring and explanation," remarked the Commissioner, "an attitude at least of understanding, to say nothing of possible concessions or alternatives, might have gone far towards avoiding the rupture which occurred. On the other hand the very circumstances which demanded consideration on the part of the employers placed a double responsibility on the labour leaders. . . . It is a question of ethics just how far, all facts considered, the companies were right in saddling on the operatives, to the exclusion of all other alternatives, the cut which it was necessary to make to save the dividends. A glance at the salaries paid to overseers, superintendents and other officers of the companies show these to be generous enough. . . . There can be no doubt that a recognition of the fact that the depression was temporary, that the cause was one for which the operatives were no more responsible than others connected with the industry, and a willingness to share all along the line in the temporary misfortune which



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had overtaken the trade would have altered the situation at once, and would have been equitable in the highest degree. This is a kind of business morality which may not be generally practiced. It is, however, fortunately enough, not without instances in this country."

The Commissioner illustrated this last point by a quotation from evidence given by Mr. S. W. Robbins, the Manager of the New Vancouver Coal Mining and Land Company, before the Royal Commission on Labour Disputes in British Columbia in 1903, and added that as a consequence of this method of dealing with his employees, Mr. Robbins had not one strike during the 21 years of his management of the mines of the Company named.

The Commissioner pointed out that the operatives attributed the granting of a number of increases in 1906 and 1907, full details with regard to which are given, solely to the efforts of their organization, without reflecting that the prosperous condition of the industry in those years was a large factor in the situation. They were accordingly the less inclined to accept a reduction when conditions warranted, and to think that united resistance might prevent a lowering of the scale.

## EFFECTS OF TARIFF ON COTTON INDUSTRY.

Referring to the effects of the tariff on the cotton industry, the Commissioner remarked:—

"That the tariff, apart from the present temporary depression with which it was admitted to have had nothing to do, was not in any way responsible for the falling off in trade in the cotton factories of Quebec, or the consequent recent reduction in wages, is abundantly proved from the statements of the head officials of the companies, and the annual reports of the directors."

Various extracts from these statements were cited by the Commissioner, who added:—

"The evidence as a whole proves conclusively that under the existing tariff the cotton manufacturing companies of the Province of Quebec have until the present depression set in, enjoyed prosperous years, that the tariff has been in no way responsible for the depression, which has been world-wide and greater in England and the United States than in Canada, that until the depression set in so prosperous were conditions that the effects of foreign competition were not felt. At most all that can be said of the lowering of the tariff, so far as the actual experiences of the cotton mills of Quebec is concerned, is that during this period of temporary depression, it has caused the effects of competition to be felt sooner than they otherwise would have been, whereas at other times it has not been such as to cause those engaged in the industry to feel the effects of foreign competition, and has been an undoubted benefit to the consumer."

## EMPLOYMENT OF WOMEN AND CHILDREN.

Several pages were devoted by the Commissioner to a discussion of the conditions of labour in the cotton mills of Quebec as they affect women and children, and strong representations were made regarding the employment of children under age. The remarks of the Commissioner on this subject were as follows:—



“During the inquiry a considerable amount of evidence was given with reference to the employment of women and children in the cotton mills of Quebec. While it does not appear that the employment of women and children has been made the subject, save indirectly, of industrial disputes of any importance, a consideration of this class of employment would seem to come very properly within the scope of an inquiry which has to do with the conditions of employment of operatives and the important question of wages and hours with which most of the disputes have been concerned. The existing scale of wages is the result of competition amongst the operatives, and the most important elements in this competition are female and child labor. It has been shown that of the operatives employed in the Quebec Cotton Mills, 42.3 per cent. are females, and 26.6 per cent. are persons under 18 years of age. As to the hours of labour of these two classes it was asserted that in normal times under normal conditions, work would begin on week days at 6.15 a.m. and continue till 12 noon, resume at a quarter to 1, and continue till 6, with the exception of Saturday, when there was work only in the morning. It was stated by many of the witnesses, and the accuracy of the statement was not challenged, that operatives were obliged to be at their places of work a little before the time fixed, though a like practice did not exist in regard to leaving it. This is a work week of 60 hours and over. In Massachusetts, where the large cotton mills of Lowell and Fall River are situated, the hours of labour of women and minors are 58 per week, and by an amending Act approved on June 13, 1908, to come into effect January 1, 1910, the number of hours for women and minors in Massachusetts will be reduced to 56 per week, except in certain establishments and under certain conditions, but in no case to exceed 58. In the State of New Hampshire also, the hours of labour for women and minors are fixed at 58 per week. A reduction of hours of labour to this maximum for similar classes of operatives in Canada would appear to be desirable on both economic and humanitarian grounds, and in this connection it would seem important that the law should leave no doubt as to the total number of hours to be worked in any one day.

#### THE QUEBEC LAW.

“The section of the Quebec Statute which relates to hours of employment is as follows:

“3025. ‘Except in the case mentioned in article 3026, no boy under eighteen years of age, and no child, girl or woman shall be employed in any of the establishments, mentioned in article 3020, for more than ten hours in one day or for more than sixty hours in any one week. Any employer may apportion the hours of labour per day for the sole purpose of giving a shorter day’s work on Saturday.

“ ‘One hour shall be allowed at noon each day for meals, if the inspector so directs, but such hour shall not be counted as part of the time herein limited as respects their employment.

“ ‘The day of ten hours mentioned in this article shall not commence before six o’clock in the morning nor end after nine o’clock at night.

“3026. ‘The inspector, for sufficient reasons given to him, and in order to make up lost time or to satisfy the exigencies of the trade, may, for a period not exceeding six weeks, extend the time of employment of children, girls and women to twelve hours in a day, or seventy-two hours in a week, provided that the day shall not commence before six o’clock in the morning, nor end after nine o’clock in the evening, in the following cases:

“ (a) ‘When any accident, which prevents the working of any industrial establishment, happens to the motive power of machinery, or



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“(b) ‘When from any occurrence beyond the control of the employer, the machinery or any part of the machinery of any industrial establishment cannot be regularly worked; or

“(c) ‘When any stoppage occurs from any cause whatsoever.’

“It was maintained by the companies, and their opinion was shared by the factory inspector who appeared before the Commission, that this gave the company the right to so adjust the working hours on each day that the total working time in a week would not exceed 60 hours. Clearly such an interpretation gives the right should the employers decide to work only five days in the week, to make the hours 12 per day, or 15 per day, should it be decided to work only 4 days, a possibility which could never have been intended. The maximum working hours in any one day should be definitely stated and the statute should be so worded as to leave no doubt as to its intention.

## GENERAL CONSIDERATIONS INVOLVED.

“In determining what the maximum number of working hours should be economic considerations alone demand that a full regard should be had for the effects of long and continuous employment, whatever its nature upon the constitution of women, and their place in the social economy of a nation. Excessive work bequeaths a legacy of weakness or disability to those who directly or indirectly are affected by it. In the upbuilding of a nation this is a factor which cannot be too constantly kept in mind.

“Similarly the employment of children and young persons, whether male or female, cannot be surrounded by too many safeguards. It is distressing to be obliged to record that though the minimum age at which children can be employed is fixed by the Quebec law at 14 years, several children were brought before the Commission from among those working in the mills who admitted that they had entered upon employment under the legal age. Some of these children were so immature and ignorant that they were unable to tell the year of their birth, or their age. One little girl did not know the meaning of the word ‘holiday,’ and when it had been explained to her, stated that the only holiday she had known were Christmas and Epiphany. She had never received a week’s vacation.

“One or two of the children admitted that they knew their parents had made false declarations as to age, and that they had been told by their parents to say what was untrue, when questioned on the point.

“There can be no two views as to the attitude which should be assumed towards such a condition, nor as to the kind of legislation which it demands. The employment in factories of children under 14 years of age should be made absolutely impossible, and a law no less imperative requiring their attendance at school between the ages of 10 and 14 years should be enacted. In Massachusetts the law requires that a child must be 14 years of age, and a certificate is obtained from the clerk of the city as to his ability to read and write. If illiterate, he must be 16 before he can be employed, and children who wish to gain admission to a factory must first obtain a certificate of age and ability to read and write the English language from the school superintendent or member of a school committee. Some such arrangement which would remove from the parties interested in the contract whether parents or employers, the possibility of making or accepting false declarations, and as would place the responsibility as to age certificates upon those chosen representatives of the people, or officials whose duty it is to guard the welfare of the State, would seem to be the most effective manner of dealing with the situation. It is gratifying to be able to state that the heads of the companies concerned expressed themselves as much surprised at the



fact that child labour was being employed contrary to law, and took immediate steps to rectify this abuse. Mr. S. H. Ewing, the President of the Montreal Cotton Company, said he had inquired particularly to find out if there was any child labour in the mills, and that he was very much surprised to learn that there was; that if anything of the kind were going on, it was very much against his will and that of the Board of Directors. Mr. Simpson said that his company was careful to see that each child was obliged to bring a certificate from the parents or guardian, stating that he or she was at least 14 years of age, and that there were only two cases he knew of where children were under age, though there might be others where parents had given false certificates, and that in the two cases mentioned there were justifiable circumstances. It is unreasonable to suppose that any other than the most selfish and callous-hearted of individuals would knowingly permit an abuse of this kind to continue, and would not welcome such action on the part of the State as would put its continuance beyond the bounds of possibility. If Canada is to have a hardy and intelligent body of producers, on which primarily her industrial position among the nations of the world will depend, she cannot view with too much caution all those factors which go to the making of a nation's manhood, and of these none are of like importance to the health and well-being of the mother and the child. Opportunity for rest and recreation is the least that society can secure to those who are helping to carry the industrial burden, and this demands a limitation of the total hours of labour by day or week, an absolute prohibition of overtime, and a period of vacation in every year."

#### RELATIONS BETWEEN EMPLOYERS AND EMPLOYEES.

The Commissioner made the following suggestions with regard to the betterment of relations between employers and employees in the industry:—

"As to a plan whereby the relations between employers and employees in this industry may be improved and industrial differences between them averted, I would invite attention to a consideration of some such arrangement as came to my notice during the investigation of conditions in the United States, the effectiveness of which arrangement has been duly tested by the severe strain of the present year, and received the hearty commendation of both employers and employees. I mean the system of an automatic adjustment of wages based upon a joint agreement between employers and employees such as exists at Fall River between the Association of Employers and the Textile Council, an association representative of the several unions to which the operatives belong. This plan was worked out as a consequence of a large strike which took place four years ago, and was the outcome of a recognition on both sides of the folly of industrial war as a means of securing industrial peace. I cannot do better than quote from the *Massachusetts Labour Bulletin* of June and July, which sets forth the nature and workings of the arrangement in an article dealing with the reduction in wages of the present year. Incidentally, the article is also of great value as showing how parallel are conditions in the United States to conditions in Canada, and as showing that the recent reductions in wages in Canada which occasioned the strike of May last have not been due to any peculiar severity on the part of Canadian employers, or tariff or other special conditions, but have been part of a general trade depression in which this country, for obvious reasons, has had to share.

"At a conference held May 19 between committees of the Fall River Textile Council and the Cotton Manufacturers' Association to determine the scale of wages to be paid during the six months from May 26, 1908, to Novem-



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ber 26, 1908, the margin figures of the preceding six months were gone over, and the resulting reduction in wages was computed to 17.94 per cent. This is the heaviest reduction that has ever been made at one time in the history of Fall River, the nearest approach to it being a reduction made September 11, 1893, amounting to 14.28 per cent.

“Yet on May 20, the Textile Council, representing officially and unofficially some 25,000 operatives, demonstrated the ability of this great body of workers to stand by their contract by accepting, without a dissenting voice, the report of the committee, which recommended that the reduction of wages resulting from the operation of the agreement in force between the organizations of mill employees and their employers be adopted.

“The wage agreement accepted on May 3, 1907, and now in force, provides:—

“Clause 1. That 21.78 cents per cut shall be the recognized standard price for a margin of 95 points based on the cost of eight pounds of middling upland cotton and the selling value of 45 yards of 28-inch 64 x 64 print cloth and 33.11 yards of 38½-inch 64 x 64. Quotations from New York Journal of Commerce shall be considered authority.

“Clause 2. Wage agreements shall be binding for six months, beginning the last Monday in May and November of each year, based on the average margin for the previous six months.

“Prices for weaving shall be as follows:—

“With a margin of 115 points, 23.96 cents; 110 points, 23.42 cents; 105 points, 22.87 cents; 95 points, 21.78 cents; 85 points, 20.69 cents; 80 points, 19.66 cents; 75 points, 18.68 cents; 72 1-2 points, 18 cents.

“Wages in all departments other than weaving shall be adjusted on the same basis; 23.96 cents, with a margin of 115, shall be the maximum; and 18 cents, with a margin of 72 1-2, shall be the minimum rate paid for weaving.

“Clause 3. If at any time either party to this agreement should desire to make a change, at least three months' notice shall be given by the party desiring the change prior to the expiration of the existing six months' contract.

“It can be said that the wage agreement has met and passed successfully its first real test, for the operatives have shown their faith in the fairness of the system, even though the results may be decidedly unfavorable to them, as in the present instance.

## AUTOMATIC WAGE ADJUSTMENT.

“*This system of an automatic adjustment of wages* was carefully devised as a result of previous experiments, for the purpose of giving the operatives as high a rate of wages as business conditions would allow, and the success which the system has had in its first crisis argues well for the peaceful settlement of wage scales in Fall River, and it is to be hoped will result in the abolition of intermittent demands by operatives on the manufacturers and long resultant controversies.

“The praiseworthy spirit shown by the operatives in keeping their agreement and submitting to this heavy cut in their wages is reflected in the following extract from the report presented to the operatives by James Tansey, president of the Fall River Textile Council:—

““We, the members of the Textile Council, regret that such conditions have arisen which should call for the reduction in wages as stated in the agreement, and while we realize that the reduction is a steep one, we hope and feel that you will not lose sight of the fact that it is being taken from the highest rate of wages that has ever prevailed during the life of the Textile Council, and for many years previous to its existence. It is safe to say that



we can go back at least 35 years, and then only under the most exceptional conditions can a comparison be made.

“ ‘ It should not be necessary to remind you that the rate of wages paid during the last 12 months is 10 per cent. higher than ever was paid in the city during our life as combined unions, and further, that it is 20 per cent. higher, with an exception of a period of about nine months a few years ago.

“ ‘ With regard to the present agreement we do not nor have we ever taken and declared that it is a panacea for all difficulties existing between the employer and employee in our trade but we do declare emphatically and without reserve that it is and has proved to be the best agreement for the operatives that was ever accepted by the employers for the control and regulation of the rise and fall in wages, and further assert, for reasons stated above, that it is well worthy of a trial of experience and as a guide in dealing with such questions in the future.

“ ‘ Until such time that we see that a change is necessary in the margin scale, we say to our members that this agreement should be honourably lived up to, as it was entered into honourably by a vote of acceptance and endorsed by all of the unions at their general meetings before being signed by the representatives of the respective associations contracted.

“ ‘ Even though the reduction in wages is greater under the agreement than was anticipated by its most ardent supporters, and which we regret we are not prepared to declare that it is a failure, because owing to the unfortunate trade conditions previously referred to, which suddenly and unexpectedly worked havoc with our industry, we do not believe it has had a fair trial; and until such time that it has, the least that can be expected is that judgment should be suspended, and hasty action upon our part be rejected.

“ ‘ The only comparison that we can draw to compare with present conditions is that which existed in 1898, 10 years ago, when the market got down about 50 cents, and we were obliged to accept reductions in wages which brought the weaver down to 16 per cent, and all other departments in proportion. The margin to-day is but 57.61 cents, and it has been between the fifties and sixties for nearly two months, and the price per cut under the reduced rate is 19.66 cents per cut, with operatives in all other departments in proportion, a matter of about 20 per cent., a higher rate than prevailed under similar conditions in 1898, to say nothing of other improved conditions.

“ ‘ Again repeating our regret for the reduction of wages that goes into effect Monday morning, brought about through conditions over which neither employer nor employee has control, we bring these matters to your attention, so that you can deliberate on the conditions and situation with more intelligence, and give to it that fair, just and conservative consideration that all such important subjects of its kind are entitled.’

“ Following the announcement of the new rate, a notice of a reduction of 17.94 per cent. in the wages of the 5,000 operatives in the cotton mills of the Fall River Iron Works Co. was posted at that plant. Other cotton mills throughout New England reduced wages in April, the average reduction being about 10 per cent.

“ For a short period after the reduction went into effect, the demand for cotton cloth warranted the manufacturers running their mills on full time, and as a result, the actual weekly earnings of the operatives were greater than under the former rate of wages. These favourable conditions did not continue, however, and the mills were obliged to curtail, thereby decreasing the earnings of the operatives considerably.

“ The sliding scale agreement is between the Textile Council, representing the operatives, and the Cotton Manufacturers’ Association, representing the manufacturers, so that the agreement can only be terminated by a notice from either of the two contracting parties.



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“ At Fall River, where the reduction of 18 per cent. took place, there are over fifty mills employing in all about 30,000 operatives. In Lowell, where the reduction was, as in the Province of Quebec, 10 per cent., there are 7 large mills employing about 15,000 operatives.”

## PROFIT SHARING AT BOURNE.

“ At the Bourne mills, which are among the largest in Fall River, a profit-sharing arrangement is in force, which I was informed by the manager had worked to the great advantage of employers and employees alike. Inasmuch as it is one of several methods which might be adopted to make more apparent the unity of interest between employer and employed, it also may, I think, be commended as worthy of adoption by employers of labour in this country, and as a means of harmonizing the relations between the two great industrial classes. The circular issued by the Treasurer of Bourne Mills in December, 1906, breathes a spirit of consideration for the welfare of operatives, which, if generally followed, would do more than anything else to avoid the possibilities of friction and to promote the interests common to both. This circular is as follows:—

“ ‘ FALL RIVER, MASSACHUSETTS,

“ ‘ December 24, 1906.

“ ‘ To the Employees of the Bourne Mills:

“ ‘ You will receive herewith the thirty-fourth semi-annual dividend upon wages. Profit-sharing will be continued another six months. I feel myself happy to congratulate you upon the recent advance in wages, which placed Fall River again upon record as paying the highest wage known to the cotton industry in all the world. I sincerely hope there may never be another reduction of wages here. There ought not to be. The business should be adjusted to this schedule.

“ ‘ I trust this may be the merriest Christmas ever known here. May all try together, manufacturers and operatives, to make Fall River the most attractive spot on earth for textile wage-earners. Having this thought in mind, the board of directors of the Bourne Mills has unanimously authorized me to announce to you the experiment of a vacation week in August, 1907. While I have not made it a habit to take a vacation myself (except a short trip to Europe in 1900), I can see that in these strenuous days, it is becoming more and more a wholesome practice.

“ ‘ The mills will close Saturday noon, August 24, and re-open Tuesday morning, September 3, thus allowing you ten days of rest and recreation.

“ ‘ In lieu of regular pay, the directors have also unanimously authorized me to offer you an extra dividend upon your wages, payable just before the vacation, to the amount of fifty per cent. of the average weekly wages earned by each one of you, computed from the record of your wages during the present profit-sharing term closing next June.

“ ‘ Like all dividends upon wages, the August vacation dividend will be paid to you upon the single condition of continuous faithful efficient service. It will be in addition to the regular fourth of July dividend.

“ ‘ Sincerely yours,

“ ‘ (Sgd.)

GEO. A. CHACE,

“ ‘ Treasurer.”



## CONCLUSIONS.

“Briefly summarized, the main conclusions of the Commissioner are as follows:—

“ 1. The 10 per cent. reduction in wages in the cotton mills of Quebec which occasioned the strike and lockout of May of the present year, was not due to any peculiar severity on the part of Canadian employers, or to tariff, or other special conditions, but was an economic consequence of the general trade and financial depression in which Canada has shared in common with the United States and Great Britain, and which has affected the cotton industry in all parts of the world;

“ 2. That similar and even greater reductions in wages have taken place in the cotton mills of the United States, and a greater shortage of work has been occasioned among the operatives in that country, as well as England;

“ 3. That the lot of many of the operatives in the cotton mills during the present year has been a particularly hard one, both because of a considerable shortage of work and a considerable reduction in the rate of wages paid;

“ 4. That the present depression is temporary, and that the employers have promised a restoration of the former scale of wages when trade improves;

“ 5. That the strike in the Quebec mills was unwise and ill-timed, and would not have taken place had the constitution of the labour organization been strictly followed;

“ 6. That the manner in which notice of the intended reduction in wages was given was an aggravating circumstance under the then existing conditions, a longer time and greater opportunity for conference between the parties might have avoided it;

“ 7. That personal enmities and ambitions on the part of certain of the leaders were responsible for dissensions among the operatives which were prejudicial to their common interests;

“ 8. That the industry as a whole and the interests of both employers and employees have suffered much unnecessary loss in consequence of the exceptionally large number of strikes which have taken place during recent years;

“ 9. That some of the strikes which have taken place would not have occurred but for the organization that existed among the workers, and methods adopted by some of the leaders, but that in other instances, organization has been the means of avoiding disputes, and, broadly viewed, has (at least, up to the spring of the present year) resulted in a betterment of the economic conditions of the operatives as a whole;

“ 10. That the attitude of the employers has not on the whole been averse to organization among the employees, though individuals have endeavoured to prevent it; that to entitle themselves to that confidence on the part of the employers which will ensure a willingness to co-operate with them, the unions must secure harmony within their own ranks, and adopt a more conservative policy towards those with whom they have business dealings;

“ 11. That the hours of labour of women and young persons in the cotton mills are too long, and should be shortened;

“ 12. That the present law regulating the hours of employment should be amended so as to leave no doubt as to its intention, and so as to secure against possible injustice to those on whose behalf it has been enacted;

“ 13. That the law respecting the employment of child labour has been evaded, and should be so amended as to provide against possible infractions in the future, and that in this connection a special responsibility devolves upon shareholders and all other persons who profit by the results of such labour;



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“ 14. That industrial peace might be preserved and the friendly relations between employers and employees promoted:

“(a) by the adoptions of joint agreements between employers and operatives with some system of automatic adjustment of wages;

“(b) by each of the parties being required to give at least one month's notice before attempting to enforce any contemplated change in wages, hours, or other important condition of employment;

“(c) by the adoption of permanent Boards of Conciliation, composed of representatives of employers and operatives, to which Boards all matters in dispute should be referred for conference and adjustment before resort is had to a lockout or strike; and

“(d) by the adoption of some form of labour co-partnership in which the joint interests of employers and employees is made apparent to both parties.”

## APPENDIX RE STRIKES AND LOCKOUTS SINCE 1900.

The report contained as an appendix a tabular statement showing the locality, date, name, result, number of employees affected, loss of time in working days, in the case of every strike occurring in the cotton industry since 1900. This was prefaced by the following statement:—

## STRIKES AND LOCKOUTS SINCE 1900.

“If the series of disputes which began on May 4, 1908, be considered as separate strikes, there have been 40 strikes and lockouts in the cotton industry in the Province of Quebec from February, 1900, to June, 1908, inclusive. Of these, 9 occurred at Valleyfield, 8 at Magog, 7 at Hochelaga, 6 at Montmorency Falls, 5 at St. Henri, 3 at St. Anne's, 1 at Montreal and 1 at Hochelaga and St. Anne's.

“In 32 of these disputes the loss of time to the employees amounted approximately to 201,090 working days. In the remaining 8 disputes, the data was not sufficient to afford an estimate of the lost time.

“An analysis of the causes that led to the strikes and lockouts shows that in 21 cases, over half the total number, questions of wages were involved. In 10 cases, the employees had demanded an increase in wages, coupled with other demands in two cases, and in nine they opposed a reduction of wages. On 5 occasions strikes were declared in protest against the discharge of employees, and on two occasions the French operatives objected to the employment of English persons. There were 4 sympathetic strikes and 2 lockouts during the past eight years.

“With regard to the results of these trade disputes, the employers were successful in 26 cases out of 40, and the employees were successful in only 9 cases, while compromises were reached in the remaining 5. The records in the Department of Labour show that in the disputes involving all industries during the years from 1901 to 1906 inclusive the employers were successful in 244 cases out of a total of 692, while the employees were successful in 214 cases. This indicates that a greater proportion of strikes in the cotton industry failed in their object, than of strikes in all the industries in Canada combined.”

The report was accompanied by statistical tables relating to the strikes and lockouts in the cotton industry in Quebec from February, 1900, to June, 1908, inclusive, showing in the case of each dispute the locality in which it occurred, the classes and number of employees affected, the date of the commencement and termination, the approximate number of working days lost, and the cause and result.



## XI.—FAIR WAGES ON PUBLIC CONTRACT WORK.

During the past year 315 Fair Wage Schedules have been prepared by the Fair Wages Officers of the Department for insertion in public contracts. The rates of wages fixed in contracts containing these Fair Wages Schedules are based on the rates prevailing in the locality in which the work is to be done and where there are no such prevailing rates obtainable then on what might be considered a fair and reasonable rate, due regard being had to the cost of living in the localities concerned. The number of such Fair Wages Schedules which the Department has been called upon to prepare has very largely increased and the number for 1907-08 is 93 in excess of the number for the year 1906-07 and about double the number called for two and three years ago. Of the total of 315 of these schedules prepared last year, 162 were for the Department of Railways and Canals, an increase of 65 over the preceding year; 122 were for the Department of Public Works, an increase of 27; 18 were for the Department of Marine and Fisheries, a decrease of 5; 11 were for the Department of Militia and Defence, the same number as were framed for that Department in the preceding year. Two were for other branches of the public service.

The total number of Fair Wages Schedules prepared by the Department since its inception in 1900 is 1,600, of which almost one-half have been for the Department of Railways and Canals and over one-third for the Department of Public Works.

The work of this branch of the Department of Labour is based on what is known as the "Fair Wage Resolution" of the House of Commons, which was passed in 1900. This resolution is in the following terms:—

"MR. MULOCK—That it be resolved that all Government contracts should contain such conditions as will prevent abuses, which may arise from the sub-letting of contracts, and that every effort should be made to secure the payment of such wages as are generally accepted as current in each trade for competent workmen in the district where the work is carried out, and that this House cordially concurs in such policy and deems it the duty of the Government to take immediate steps to give effect thereto.

"It is hereby declared that the work to which the foregoing policy shall apply includes not only work undertaken by the Government itself, but also all works aided by grant of Dominion public funds."

In addition to the preparation of these Fair Wages Schedules, the statistics compiled by the Fair Wages Officers in respect of wages and hours and conditions of labour are in frequent demand for other purposes. During the past year the Department has received from many quarters requests for information in regard to prevailing rates of wages, hours and conditions of employment of Canadian workmen. Among these requests may be mentioned the following:—The Consul General for Belgium, in Ottawa, regarding rates of wages and hours of labour in the several branches of employment throughout Canada; Mr. W. A. Mackinnon, Canadian Trade Commissioner at Bristol,



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England, as to the rates of wages paid to seamen and firemen employed on steamers on the Great Lakes; Mr. David Kamisky, of Brooklyn, N.Y., for information regarding rates of wages and conditions of the working classes in Canada for use in a debate on the subject of "Reciprocity with Canada" to decide the championship of the Greater New York Interscholastic Debating League; the Law Department of the City of Toronto, for information in regard to the Fair Wages Resolution of the House of Commons in connection with the proposed insertion of a similar condition in Toronto civic contracts; Mrs. Florence Kelley, General Secretary of the International Consumers' League, New York, requesting information respecting the results of Fair Wages legislation in Canada; Mr. A. E. Fripp, M.L.A., Ottawa; regarding schedules prepared under the Fair Wages Resolution; Mr. G. E. Carpenter, Transportation Manager of the Winnipeg Jobbers' and Shippers' Association, requesting information regarding wages paid to railway employees in Ontario, Manitoba, Saskatchewan and Alberta; Reverend Dr. Sutherland, Toronto, General Secretary of the Foreign Department of the Missionary Society of the Methodist Church, requesting information concerning wages, cost of living, etc.; D. Levy & Sons, Limited, Montreal, respecting wages paid in the woollen mills of Canada; A. D. Gunn, Sydney, N.S., regarding rates of wages paid and cost of living in the various centres of population of Canada; the General Manager of the Office Specialty Manufacturing Company, Toronto, regarding rates of wages in the printing and allied trades; Mr. E. H. Armstrong, K.C., Yarmouth, N.S., regarding information bearing on the subject of the eight-hour day; R. Stephenson, of Winnipeg, regarding rates of pay for labour engaged in construction and operating work on the Grand Trunk Pacific Railway; Geo. G. Mercure, Secretary Treasurer of the Canadian Federation of Labour, regarding wages paid to employees of electric railways in the cities of Montreal, Ottawa, Toronto, and Winnipeg; the Buffalo Pitts Company, of Buffalo, U.S.A., regarding wages paid in various trades in Canada; Paul N. Kellogg, Editor, "Charities," New York, N.Y., regarding rates of wages and hours of labour in various branches of employment throughout Canada; Christian Sivertz, Secretary of the Trades and Labour Council, of Victoria, B.C., in acknowledging the receipt from the Department of Fair Wage schedules for various classes of labour in the cities of Halifax, Montreal, Toronto, Winnipeg, Vancouver and Victoria, observed that he found the work done and the information given by the Department of Labour of ever-increasing importance and usefulness.

During the year also supplies were furnished to the Post Office Department to the amount of \$129,333.92 under conditions designed to ensure the payment of fair wages and reasonable hours to the workmen employed. In all these contracts those tendering were required to submit a statement of the rates of wages which they agreed to pay and the number of hours which the workmen would be required to work. The more important contracts of the past year in the Post Office Department were as follows:—Making up and supplying articles of official uniforms, \$42,618.33; supplying mail bags, \$31,005.21; repairing mail bags, \$14,823.01; supplying stamping material, inclusive of making and repairing pads, also wooden boxes and post marking



and cancelling ink, \$11,956.10; making and repairing material, dating and other stamps and type, and brass crown seals, \$9,347.04; repairing mail bags and supplying mail bag fittings, \$9,205.10. In all these and other contracts by the Post Office Department where the rates named by the tenderers for hours and wages appeared to the Department of Labour unfair, the tenderer was informed of the rates which the Department of Labour regarded as fair and reasonable and no contract was let without assurance that fair and reasonable rates would be accorded to all workmen and workwomen concerned.

The following tables show the number of schedules arranged by Provinces, prepared by the Fair Wages Officers during the fiscal year 1908-09, also the number of schedules arranged by years, prepared since the establishment of the Department:—

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, IX. A. R. No. 3.  
STATISTICAL TABLE SHOWING BY PROVINCES THE "FAIR WAGES" SCHEDULES  
PREPARED BY THE DEPARTMENT OF LABOUR, FOR DEPARTMENTS OF THE  
GOVERNMENT DURING THE FINANCIAL YEAR ENDING MARCH 31, 1909.

Department of Government	Nova Scotia	New Brunswick	P. E. Island	Quebec	Ontario	Manitoba	Saskatchewan and Alberta	British Columbia	Yukon	Total
Public Works.....	17	23	8	29	34	4	4	6	.....	125
Railways & Canals.....	23	30	19	40	42	2	4	3	.....	163
Marine & Fisheries .....	10	1	2	1	3	1	.....	.....	.....	18
Militia and Defence.....	1	.....	.....	1	4	2	1	2	.....	11
Miscellaneous.....	.....	.....	.....	.....	1	.....	2	.....	.....	3
Total.....	51	54	29	71	84	9	11	11	.....	320

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, IX. A. R. No. 4.  
STATISTICAL TABLE OF "FAIR WAGES" SCHEDULES PREPARED BY YEAR BY THE  
DEPARTMENT OF LABOUR FOR DEPARTMENTS OF THE GOVERNMENT  
DURING THE PERIOD JULY. 1900, TO MARCH, 1907, INCLUSIVE.

	1900-1	1901-2	1902-3	1903-4	1904-5	1905-6	1906-7	1907-8	1908-9	Total
Department of Public Works.....	63	13	11	116	72	41	53	95	125	589
“ Railways and Canals. ....	.....	1	50	89	153	95	84	93	163	728
“ Marine and Fisheries .....	.....	17	12	18	21	8	10	23	18	127
Other Departments.....	.....	.....	.....	.....	2	3	3	11	14	33
Total.....	63	31	73	223	248	147	150	222	320	1477

CONTRACTS AWARDED DURING 1908-9 CONTAINING FAIR WAGES SCHEDULES.

The following is a list of the contracts awarded by the several departments of the Government for which fair wages schedules have been requested, the nature of the work contracted for, the locality in which it was to be performed, the dates at which the contracts were awarded, the amounts of the contracts, and the page and number of the *Labour Gazette* in which copies of the several schedules appeared:—



LIST OF CONTRACTS FOR WHICH FAIR WAGES SCHEDULES WERE REQUESTED BY THE DEPARTMENT OF PUBLIC WORKS AND PREPARED BY THE DEPARTMENT OF LABOUR, SHOWING ALSO AMOUNT OF CONTRACT, DATE AT WHICH AWARDED AND WHERE FAIR WAGES SCHEDULES PUBLISHED, FOR THE FINANCIAL YEAR ENDING MARCH 31, 1909.

Nature of Work *	Locality.	Date at which schedules supplied by Department of Labour.	Date of Contract.	Amount of Contract.	Issue of Labour Gazette in which Fair Wages schedule was published	
					\$	cts.
Extension to Drill Hall.	Quebec, Que.	April 18.	Nov. 26, 1908	45,895 00	9	440
Wharf, warehouse and roadway	Port Hastings, N.S.	" 21.	Sept. 28, 1908.	10,550 00	9	339
Heating apparatus in Drill Hall.	Hamilton, Ont	" 22.	Aug. 21, 1908.	12,880 00	9	328 9
Construction of a breakwater.	Cobourg, Ont.	" 25.	Aug. 18, 1908.	139,000 00	9	440
Public building.	Vernon, B.C.	May 4.	Not awarded.	26,526 00	9	440
"	Welland, Ont.	" 4.	Sept. 16, 1908.	14,268 00		
"	Esquimault, B.C	" 6.	Not awarded.	13,500 00		
"	Victoria, B.C.	" 6.	May 26, 1908.	16,238 00	9	440
"	Joliette, Que.	" 20.	Feb. 15, 1909	7,450 00	9	622
"	Meaford, Ont.	" 20.	Not awarded.	13,500 00	9	622
"	Glencoe, Ont.	" 20.	Sept. 11, 1908	15,230 00	9	771
Alterations, etc., to Public Building	Fort William, Ont.	" 30.	Nov. 19, 1908.	4,850 00	9	514
Armoury Building.	Joliette, Que.	June 2.	Feb. 15, 1909.	23,500 00	9	513
Public Building.	Emerson, Man.	" 2.	Nov. 20, 1908.	22,000 00	9	513
"	Leamington, Ont.	" 2.	Dec. 7, 1908.	6,000 00	9	622 3
Repairs to Dixon's Wharf.	Grand Manan, NB.	" 4.	Dec. 23, 1908.	287,633 00		
Public building.	Whitby, Ont.	" 24.	Oct. 16, 1908	18,407 00		
"	Hillsborough, N.S.	" 24.	Not awarded.			
"	Hillsborough, N.S.	July 2.	Not awarded.			
Construction of wharf.	McPherson's Cove, N.S.	" 10.	Sept. 19, 1908.			
" dam	Latchford, Ont.	" 15.	Not awarded.			
Armoury building.	Durham, Ont.	" 15.	Oct. 2, 1908.			
Extension to wharf.	St. John, N.B.	" 24.	Nov. 24, 1908.			
Repairing canal washout.	Cornwall, Ont.	" 28.	Not awarded.			
Construction of dam (further rates).	Latchford, Ont.	" 29.	Not awarded.			
Heating apparatus in P. O.	Montreal. Que.	Aug. 10.	Oct. 22, 1908.			
Fittings for Drill Hall.	Toronto, Ont.	" 10.	Not awarded.			
Breakwater and dredging	Port Burwell, Ont.	" 21.	Not awarded.			

\* The list is here given in the order in which the requests for schedules were received at the Department of Labour.



LIST OF CONTRACTS FOR WHICH FAIR WAGES SCHEDULES, &c. - Continued.

Nature of Work.*	Locality.	Date at which schedules supplied by Department of Labour.	Date of Contract.	Amount of Contract.	Issue of Labour Gazette in which Fair Wages schedule was published.
Public building.....	Georgetown, P. E. I.....	Aug. 22.....	Oct. 20, 1908.....	\$ 3,000 00	Vol. 9 Page. 514
Addition to public building.....	Ottawa, Ont. (Experimental Farm).....	" 22.....	Oct. 30, 1908.....	12,000 00	9 622
Public building.....	Quebec (St. Roch), Que.....	" 24.....	Feb. 6, 1909.....	47,711 00	9 999
".....	Montreal (Pt. St. Charles), Que.....	" 24.....	Dec. 2, 1908.....	31,600 00	9 770
Construction of a wharf.....	Whitney Pier, N. S.....	" 25.....	Oct. 10, 1908.....	9,980 00	9 513 4
Public building.....	Estevan, Sask.....	" 26.....	Feb. 21, 1909.....	19,850 00	9 1000
Breakwater and dredging.....	Rondeau, Ont.....	" 26.....	March 26, 1909.....	229,000 00	
Public building.....	Chilliwhack, B. C.....	" 28.....	Not awarded.....		
".....	Parkhill, Ont.....	" 28.....	Dec. 7, 1908.....	13,504 00	9 770-1
Breakwater.....	Long Point, P. E. I.....	Sept. 12.....	Not awarded.....		
Extension to breakwater.....	Tignish Harbour, P. E. I.....	" 15.....	June 4, 1909.....	23,952 00	
Cribwork groynes.....	Port Stanley, Ont.....	" 15.....	Feb. 1, 1909.....	6,535 00	9 999
Public building.....	Battleford, Sask.....	" 16.....	Not awarded.....		
".....	Megantic, Que.....	" 17.....	Not awarded.....		
Cribwork wharf.....	Vernon Point, P. E. I.....	" 18.....	Dec. 7, 1908.....	7,300 00	9 771
Construction of wharf.....	St. Andrews, N. B.....	" 19.....	March 8, 1909.....	15,900 00	
Cribwork breakwater.....	Blue Rocks, N. S.....	" 19.....	Jan. 11, 1909.....	3,878 00	9 880-1
Construction of wharf.....	Tadousac, Que.....	" 19.....	Not awarded.....		
Extension to wharf.....	St. Alexis, Que.....	" 19.....	Not awarded.....		
Construction of coal dock.....	Three Rivers, Que.....	" 19.....	Not awarded.....		
Crib and pile work and excavation.....	Naufrage Pond, P. E. I.....	" 21.....	Feb. 2, 1909.....	11,995 00	9 999
Timber cribwork wharf.....	Riviere Blanche, Que.....	" 22.....	Dec. 18, 1908.....	6,300 00	9 772
Breakwater, timber cribwork with stone and earth approach.....	West Advocate, N. S.....	Sept. 22.....	Not awarded.....		
Extension to wharf.....	Chewin, N. S.....	" 22.....	Dec. 16, 1908.....	4,291 00	9 771
Enlargement of cribwork block.....	Ste. Emelie, Que.....	" 25.....	Not awarded.....		
Construction of drill shed.....	Quebec, Que.....	" 28.....	Nov. 26, 1908.....	45,895 00	9 623
Breakwater and wharf.....	Lorneville, N. B.....	" 29.....	Feb. 10, 1909.....	27,000 00	9 999-10
Repairs to wharf.....	Sturgeon, P. E. I.....	" 29.....	Dec. 21, 1909.....	4,100 00	8 772
Construction of wharf.....	White Head, N. B.....	" 30.....	Dec. 23, 1908.....	4,850 00	9 772
".....	Barton, N. B.....	" 30.....	Not awarded.....		
Extension to east pier.....	Quaco, N. B.....	" 30.....	Dec. 28, 1908.....	32,900 00	9 772
Construction of wharf.....	Cumming's Cove, N. B.....	" 30.....	Not awarded.....		
".....	Lower Jenseg, N. B.....	Oct. 3.....	Not awarded.....		



[illegible]

\* The list is here given in the order in which the requests for schedules were received at the Department of Labour.



LIST OF CONTRACTS FOR WHICH FAIR WAGES SCHEDULES, &c.—Continued.

Nature of Work.*	Locality.	Date at which schedules supplied by Department of Labour.	Date of Contract.	Amount of Contract.	Issue of Labour Gazette in which Fair Wages schedule was published.
				\$ ct.	Vol. Page.
Extension to wharf.....	Grande Rivière, Que.....	1909 Jan. 15.....	Not awarded.....		
Cribwork wharf .....	Scotchtown, N.B.....	" 16.....	Not awarded.....		
" .....	Shediac, N.B.....	" 20.....	Not awarded.....		
Pilework breakwater.....	Sorel, Que.....	" 20.....	Not awarded.....		
Cribwork wharf.....	New Mills, N.B.....	" 22.....	Not awarded.....		
Extension to cribwork .....	Pink Rock, N.B.....	" 22.....	Not awarded.....		
Cribwork wharf.....	Sackville, N.B.....	" 30.....	Not awarded.....		
Cribwork concrete wharf.....	Gravenhurst, Ont.....	" 30.....	Not awarded.....		
Cribwork pier .....	Ste. Croix Lotbinière, Que.....	" 30.....	Not awarded.....		
Heating apparatus and electric wiring .....	Ottawa, Ont.....	Feb. 23.....	Not awarded.....		
Cribwork addition to wharf .....	Cacouna, Que.....	" 26.....	Not awarded.....		
Concrete retaining wall .....	Hamilton, Ont.....	" 26.....	Not awarded.....		
Cribwork and pile wharf .....	Liscomb, N.S.....	March 5.....	Not awarded.....		
Construction of wharf.....	Spanish Ship Bay, N.S.....	" 5.....	Not awarded.....		
Addition and alterations to Post Office.....	Toronto, Ont.....	" 13.....	Nov. 30, 1907.....	19,694 00	
" .....	Winnipeg, Man.....	" 13.....	Not awarded.....		
Construction of wharves .....	Fort William, Ont.....	" 16.....	Not awarded.....		
" .....	Grand Métis, Que.....	" 22.....	Not awarded.....		

\* The list is here given in the order in which the requests for schedules were received at the Department of Labour.



LIST OF CONTRACTS FOR WHICH FAIR WAGES SCHEDULES WERE REQUESTED BY THE DEPARTMENT OF RAILWAYS AND CANALS, AND PREPARED BY THE DEPARTMENT OF LABOUR, ALSO AMOUNT OF CONTRACT, DATE AT WHICH AWARDED AND WHERE FAIR WAGES SCHEDULE PUBLISHED, FOR THE FINANCIAL YEAR ENDING MARCH 31, 1909.

Nature of Work. *	Locality.	Date at which schedule supplied by Department of Labour.	Date of Contract.	Amount of Contract.	Issue of Labour Gazette in which Fair Wages schedule was published.
				\$ cts.	Vol. Page
† Construction of a line of Railway.....	Union Bay to Alberni, B.C.....	April 6.....	May 27, 1909.....	Gen'l clause ins.	8 1461-2
“ “ Concrete platform.....	Amherst, N.S.....	“ 6.....	Oct. 24, 1908.....	Schedule rates.	9 516
“ “ “.....	Antigonish, N.S.....	“ 7.....	Oct. 24, 1908.....	Schedule rates.	9 516
“ “ Station Building.....	Portage, P.E.I.....	“ 13.....	“ “ “.....	“ “ “.....	“ “ “.....
“ “ “.....	West Devon, P.E.I.....	“ 13.....	July 25, 1908.....	Schedule rates.	9 189
“ “ “.....	St. Nicholas, P.E.I.....	“ 13.....	July 25, 1908.....	Schedule rates.	9 189
“ “ “.....	McNeil's Mill, P.E.I.....	“ 13.....	July 25, 1908.....	Schedule rates.	9 189
“ “ “.....	Perth, P.E.I.....	“ 13.....	July 25, 1908.....	Schedule rates.	9 189
“ “ “.....	Selkirk, P.E.I.....	“ 13.....	July 25, 1908.....	Schedule rates.	8 189
“ “ “.....	Beck River, P.E.I.....	“ 13.....	July 25, 1908.....	Schedule rates.	8 1461
“ “ “.....	Welland Canal, Ont.....	“ 15.....	May 21, 1908.....	65 & 45 c. per yd.	8 6234
Removal of Slides Nos. 1 and 2.....	Riviere du Loup, Que.....	“ 23.....	Nov. 23, 1908.....	24,475 00	9 330
Stores and Office Buildings.....	Chaudiere Junction, Que.....	“ 23.....	Aug. 28, 1908.....	2,774 00	“ “
Heating system in Service Bldg.....	Charlottetown, P.E.I.....	“ 23.....	Too late for present report.....	“ “ “.....	“ “ “.....
Power House and Chimney.....	“ “ “.....	“ “ “.....	“ “ “.....	“ “ “.....	“ “ “.....
Remodelling Station and Freight Shed.....	Doaktown, N.B.....	“ 23.....	Nov. 20, 1908.....	1,335 00	9 624
“ “ “.....	Zionville, N.B.....	“ 23.....	Oct. 23, 1908.....	825 00	9 516
“ “ “.....	Cross Creek, N.B.....	“ 23.....	Dec. 10, 1908.....	1,100 00	9 774
“ “ “.....	Campbellton, N.B.....	“ 23.....	Not yet prepared.....	“ “ “.....	“ “ “.....
Dwelling for Agent.....	“ “ “.....	“ 23.....	Sept. 28, 1908.....	1,150 00	9 441
Oil House.....	“ “ “.....	“ 23.....	Not yet prepared.....	“ “ “.....	“ “ “.....
Baggage and Office Building.....	Riviere du Loup, Que.....	“ 27.....	June 26, 1908.....	1,620 20	9 70
Foot Bridge.....	Pugwash, N.S.....	“ 28.....	Oct. 15, 1908.....	1,800 00	9 515
Extension of Freight Shed, etc.....	Halifax, N.S.....	“ 6.....	Oct. 17, 1908.....	1,100 00	9 515-6
Telegraph Building.....	Beaver Brook, N.B.....	May “.....	Nov. 2, 1908.....	750 00	9 624
Freight Shed.....	Section I, Trent Canal, Ont.....	“ 8.....	Not yet prepared.....	“ “ “.....	“ “ “.....
Dredging Holland River Div.....	“ “ “.....	June 1.....	“ “ “.....	“ “ “.....	“ “ “.....

\* The list is here given in the order in which the requests for schedules were received at the Department of Labour.

† \$3,200 per mile not exceeding \$6,400 per mile.

‡ No reports received from the Department of Railways & Canals.



Nature of Work.*	Locality.	Date at which schedule supplied by Department of Labour	Date of Contract.	Amount of Contract.	Issue of Labour Gazette in which Fair Wages schedule was published.
Dwelling for Agent.....	Ste. Rosalie, Que.....	June 4.....	Aug. 8, 1908.....	1,880 00	9 329
Brick Power House.....	Halifax, N.S.....	" 8.....	Oct. 5, 1908.....	6,490 00	9 515
Waterworks on I.C.R.....	St. Charles Junction, Que.....	" 10.....	Not yet prepared.....		
".....	Campbellton, N.B.....	" 10.....	Not yet prepared.....		
".....	Little Metis, Que.....	" 10.....	Not yet prepared.....		
".....	Mulgrave, N.S.....	" 10.....	Dec. 22, 1908.....	Schedule rates.	9 773
Construction of a highway.....	Ste. Rosalie, Que.....	" 11.....	By day labour.....		
Engine House and Freight Shed.....	Loggieville, N.B.....	" 15.....	".....		
Electric wiring of Freight Shed.....	St. John, N.B.....	" 15.....	Feb. 18, 1909.....	832 00	9 1001
Waterworks for I.C.R.....	St. Apollinaire, Que.....	" 20.....	".....		
Widening of entrance of Welland Canal.....	Port Colborne, Ont.....	" 25.....	Aug. 24, 1908.....	\$3.50 cts. yard.	9 329
Extension to Freight Shed.....	Souris, P.E.I.....	" 29.....	".....		
Removal of west Pier of Canal.....	Port Maitland, Ont.....	July 11.....	Sept. 20, 1908.....	Schedule rates.	9 440
Electric wiring in Shops.....	Charlottetown, P.E.I.....	" 18.....	Not yet prepared.....		
Freight Shed.....	Bathurst, N.B.....	" 22.....	Nov. 2, 1908.....	3,977 00	9 624
Railway Buildings.....	Carmel, Que.....	" 22.....	Not awarded.....		
".....	Lavergne, Que.....	" 22.....	Not awarded.....		
".....	Daveluyville, Que.....	" 22.....	Not awarded.....		
Hot water heating System.....	Oxford, N.S.....	" 22.....	Feb. 12, 1909.....	990 00	9 1000-1
Freight Shed.....	Marysville, N.B.....	" 23.....	Not yet prepared.....		
Repairing washout.....	Cornwall Canal, Ont.....	" 28.....	Sept. 15, 1908.....	Schedule rates,	9 440
Wagon valves for Locks and Weirs on Trent Canal	Trenton, Ont.....	Aug. 1.....	Oct. 5, 1908.....	Schedule rates.	9 514-5
".....	Glen Miller, Ont.....	" 1.....	Oct. 5, 1908.....	Schedule rates.	9 514-5
".....	Frankford, Ont.....	" 1.....	Oct. 5, 1908.....	Schedule rates.	9 514-5
".....	Glen Ross, Ont.....	" 1.....	Oct. 5, 1908.....	Schedule rates.	9 514-5
".....	Head of Bradley Bay, Ont.....	" 1.....	Oct. 5, 1908.....	Schedule rates.	9 514-5
".....	Campbellford, Ont.....	" 1.....	Oct. 5, 1908.....	Schedule rates.	9 514-5
".....	Middle Falls, Ont.....	" 1.....	Oct. 5, 1908.....	Schedule rates.	9 514-5
".....	Healey Falls, Ont.....	" 1.....	Oct. 5, 1908.....	Schedule rates.	9 514-5
".....	Hastings, Ont.....	" 1.....	Oct. 5, 1908.....	Schedule rates.	9 515
".....	Rosedale, Ont.....	" 1.....	Oct. 5, 1908.....	Schedule rates.	9 515
".....	Lock No. 8, Ont.....	" 1.....	Oct. 5, 1908.....	Schedule rates.	9 515
".....	Lock No. 9, Ont.....	" 1.....	Oct. 5, 1908.....	Schedule rates.	9 515
".....	Lock No. 10, Ont.....	" 1.....	Oct. 5, 1908.....	Schedule rates.	9 515



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Line of Railway	"	4	Aug.	21, 1908	General clause	9	330
Construction of a Dock on Canal	"	13	Dec.	2, 1908	Schedule rates.	8	775
Raising of I.C.R. tracks, etc.	"	17		†			
Extension of Freight Shed	"	17	Nov.	23, 1908	400 00	9	624
Erection of Car repair Shops	"	18	Dec.	22, 1908	8,350 00	9	772
Extension of Freight Shed	"	18		†			
Construction of a Shelter	"	19		†			
Line of Railway	"	20	Oct.	2, 1908	†	9	515
Station Building	"	25	Dec.	19, 1908	2,460 00	9	773
Three Steam Boilers for Power House	"	25	July	4, 1908	17,450 00	9	441
Improvements to Station Building	"	25	By day labour				
Steel highway drawbridge	"	28	Oct.	10, 1908	Schedule rates.	9	515
"	"	28	Oct.	10, 1908	Schedule rates.	9	515
"	"	28	Oct.	10, 1908	Schedule rates.	9	515
"	"	28	Oct.	10, 1908	Schedule rates.	9	515
"	"	28	Oct.	10, 1908	Schedule rates.	9	515
"	"	28	Oct.	10, 1908	Schedule rates.	9	515
Railway Bridge over Canal	Sept.	5	Dec.	10, 1908	Schedule rates.	9	774
Highway and Cribwork	"	12	Dec.	24, 1908	118 75	9	773
Smokestack on Engine House	"	12	Jan.	12, 1909	1,995 00	9	882
Freight Shed	"	16	April	1, 1909	2,000 00	0	1262
Extension of Freight Shed and Wharf	"	18	Revote	from 1907	General clause.		
Railway from Arundel to	"	18	Revote	from 1907	General clause.		
Railway from Montfort & Gatineau to	Sept.	18		†			
Widening of Lachine Canal	"	18	Oct.	20, 1908	1,850 00	9	516
Steam boiler for I. C. R.	"	22	Sent out for execution				
Extension to Wharf for P. E. I. Ry.	"	28	Not yet prepared				
Spur line of Ry.	"	28	Jan.	4, 1909	Schedule rates.	9	881
Construction of Section No. 7 Trent Canal	"	29	Not yet prepared		General clause.	9	516
Line of Railway from George River to	"	29	Oct.	19, 1908	General clause.		
" from Woodstock to	Oct.	1	Not yet prepared				
Branch line of Railway	"	1	Dec.	12, 1908	600 00	9	774
Addition to Station Building	"	1		†			
"	"	3	Guarantee agreem't		General clause.		
Line of Railway, Regina to	"	3	Guarantee agreem't		General clause.		
" Saskatoon to	"	3	Guarantee agreem't		General clause.		
" Prince Albert to	"	3	Guarantee agreem't		General clause.		
" Thunder Hill to	"	3	Guarantee agreem't		General clause.		
" Rosthern line	"	5	Guarantee agreem't		General clause.		
Office Building	"	14	To stand for this year				
Closing of Dam	"	14	Nov.	25, 1908	Schedule rates.	9	623
Wiring train service Building	"	14	Too late for present report				
Concrete lining of Canal bank	"	14	Dec.	12, 1908	Schedule rates.	9	775
Two Sixty ton motor electric travelling cranes for work shops	"	14	Out for execution		General clause.		
Line of Railway from Carnan to	"	14	Oct.	23, 1908	General clause.		
† Penticton, B.C.							

\* The list is here given in the order in which the requests for schedules were received at the Department of Labour.

† \$3,200 per mile not exceeding \$6,400 per mile.

‡ No reports received from the Department of Railways & Canals.



Nature of Work.*	Locality.	Date at which schedule supplied by Department of Labour	Date of Contract.	Amount of Contract.	Issue of Labour Gazette in which Fair Wages schedule was published.	
					Vol.	Page
Electric lighting of Canal Lock	St. Ours, Que.	Oct. 15.....	Dec. 22, 1908. +	15,523 00	9	775
Main gates for light Lock	Sault Ste. Marie, Ont.	" 15.....	Jan. 20, 1909.....	Schedule rates.	9	1000
Section of Trent Canal	Lindsay, Ont.	" 15.....	Oct. 19, 1908.....	General clause.	9	623
Branch line Transcontinental Ry.	†Port Arthur to Fort William, Ont.	" 15.....	Nov. 18, 1908.....	Schedule rates.	9	773
Trimming slopes of Canal.	Cornwall, Ont.	" 16.....	Dec. 22, 1908. +	8,600 00	9	773
Mail and Express Buildings	Sackville, N.B.	" 22.....	Not executed.....			
Steam heating of buildings	Halifax, N.S.	" 22.....	Not yet prepared.....			
Stone protection on summit level.	Thorold to Pt. Colborne, Ont.	" 29.....	Feb. 18, 1909.....	3,250 00	9	1000
Ice House.	Levis, Que.	" 30.....	Dec. 15, 1908.....	Schedule rates.	9	775
One ten ton travelling crane.	Ste. Flavie, Que.	" 31.....	Jan. 7, 1909.....	Schedule rates.	9	881
Improvement to Harbour.	Riviere du Loup, Que.	Nov. 2.....	Dec. 7, 1908.....	General clause.	9	776
Protection work, Hungry Bay Dyke.	St. Johns, Que.	" 3.....	May 12, 1909.....	4,685 00	9	1361
Freight Shed on Wharf.	Beauharnois Canal, Que.	" 10.....	Dec. 2, 1908.....	General clause.	9	776
Line of Railway, Carmi to.	Charlottetown, P.E.I.	" 12.....	Out for execution.....	Schedule rates.	9	776
Heating Machine Shops, etc.	†New Westminster, B.C.	" 14.....	Dec. 2, 1908.....			
Line of Railway, Joggins Mines to.	Riviere du Loup, Que.	" 16.....	Dec. 22, 1908.....	General clause.	9	776
Wiring of Freight Shed.	†Bay of Fundy, N.S.	" 18.....	Not yet prepared.....			
Macadam Roadway, Welland Canal.	Campbellton, N.B.	" 23.....	Not yet prepared.....			
Electric lighting of Station, etc., etc.	Ramey's Bend, Ont.	" 25.....	Feb. 25, 1909.....	per mile	9	1001
Line of Railway to Mt. Carlyle.	Maccan, N.S.	" 30.....	Fed. 25, 1909.....	\$3,200 to \$6,400	9	882
Manitoulin.	†North Shore Ry., N.S.	Dec. 2.....	Jan. 18, 1909.....	175 00	9	882
Little Current Crossing to.	Little Current to Sudbury, Ont.	" 2.....	Revote from 1907.....	General clause.	9	882
Yamaska to.	Sudbury, Ont.	" 2.....	Jan. 8, 1909.....			
Mt. Johnson to.	Sudbury North, Ont.	" 2.....	+			
Smoke stack for engine house.	St. Gregoire, Que.	" 12.....				
Line of Railway, Orangedale to.	St. Gregoire, Que.	" 12.....				
Installation of Boilers.	Chaudiere Jct., Que.	" 14.....				
Line of Railway, Toronto to.	Caribou Cove, N.S.	" 19.....				
	†Moose Jaw, Westerly, Sask	" 19.....				
	Halifax, N.S.	" 21.....				
	Riviere du Loup, Que.	" 21.....				
	†Sudbury, Ont.	" 24.....				



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	1909					
Power Plant.....	Jan. 5.....	Charlottetown, P.E.I.....	May	4, 1909.....	32,150 00	9 1361
Boiler Plant.....	" 5.....	Moncton, N.B.....				
Heating and plumbing station.....	" 13.....	Iona, N.S.....				
Extension to Freight Shed, etc., etc.....	" 16.....	Souris, P.E.I.....	Sept. 19, 1908.....		1,380 00	9 441
Line of Railway, Sudbury to.....	" 23.....	+Hutton Mines, Ont.....	Feb. 4, 1909.....		General clause.	9 1001
Fencing Ste. Rosalie to.....	" 29.....	Chaudiere, Que.....	Aug. 24, 1908.....		Schedule rates.	9 330
" Chaudiere to.....	" 29.....	Riviere du Loup, Que.....	Aug. 24, 1908.....		Schedule rates.	9 330
" Riviere du Loup to.....	" 29.....	Ste. Flavie, Que.....	Aug. 24, 1908.....		Schedule rates.	9 330
" Ste. Flavie to.....	" 29.....	Campbellton, N.B.....	Aug. 24, 1908.....		Schedule rates.	9 330
" Campbellton to.....	" 29.....	Newcastle, N.B.....	Aug. 24, 1906.....		Schedule rates.	9 330
" Newcastle to.....	" 29.....	Moncton, N.B.....	Aug. 24, 1908.....		Schedule rates.	9 330
" St. John to.....	" 29.....	Point du Chene, N.B.....	Aug. 24, 1908.....		Schedule rates.	9 330
" Painssec to.....	" 29.....	Truro, N.S.....	Aug. 24, 1908.....		Schedule rates.	9 330
" Dartmouth to.....	" 29.....	Windsor, N.S.....	May 12, 1908.....		35½ cts per rod.	8 1461
" Stellarton to.....	" 29.....	Mulgrave, N.S.....	Aug. 24, 1908.....		Schedule rates.	9 330
" Point Tupper to.....	" 29.....	Sydney, N.S.....	Aug. 24, 1908.....		Schedule rates.	9 330
" Loggieville to.....	" 29.....	Fredericton, N.S.....	May 12, 1908.....		35½ cts per rod.	8 1461
Foundation of Lock No. 2.....	Feb. 2.....	New Welland Canal, Ont.....	April 1, 1909.....		Schedule rates.	9 1262
Repair Shops .....	" 4.....	St. John, N.B.....	To stand for present			
Line of Railway.....	" 19.....	Garneau Junction to Quebec, Que.....	April 5, 1909.....		+	9 1261
Machine Shop.....	" 20.....	Lachine Canal, Que.....				
Providing of Signals, etc.....	" 22.....	Near Humphreys, N.B.....	No contract.....		(General clause.	
Wiring of Engine House.....	" 25.....	Newcastle, N.B.....	Too late for present report.....			
Engine House.....	March 1.....	Charlottetown, P.E.I.....	Not yet prepared.....			
Superstructure of Piers at.....	" 11.....	Lock No. 27, Cardinal, Ont.....	Not yet prepared.....			
Line of Railway.....	" 25.....	Ottawa to Hawkesbury, Ont.....	Too late for present report.....			
Wiring of Freight Shed.....	" 27.....	Bathurst, N.B.....	Too late for present report.....			

\* The list is here given in the order in which the requests for schedules were received at the Department of Labour.

+ \$3,200 per mile not exceeding \$6,400 per mile.

+ No report received from the Department of Railways & Canals.



DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, IX., A. R. No. 7.

LIST OF CONTRACTS FOR WHICH FAIR WAGES SCHEDULES WERE REQUESTED BY THE DEPARTMENT OF MARINE AND FISHERIES, AND PREPARED BY THE DEPARTMENT OF LABOUR, ALSO AMOUNT OF CONTRACT, DATE AT WHICH AWARDED AND WHERE FAIR WAGES SCHEDULES PUBLISHED, FOR THE FINANCIAL YEAR ENDING MARCH 31, 1909.

Nature of Work.*	Locality.	Date at which schedules supplied by Department of Labour.	Date of Contract.	Amount of Contract.	Issue of Labour Gazette in which Fair Wages schedule was published.	
					\$	ot. Vol. Page.
† Two wooden lighthouse towers	Mabon Harbour, N.S.	Mch 25	March 23, 1908	2,450 00		9 199-0
Wooden dwelling for lightkeeper	Little Belledune Pt., N.B.	June 27	July 9, 1908	1,100 00		9 331
Dwelling at eastern entrance	Toronto Harbour, Ont	" 27	July 18, 1908	3,295 78		8 517
Fog alarm building	Cape Dogs, Que.	Aug. 14	Sept. 1, 1908	1,820 00		9 517
Reinforced concrete lighthouse	Cape Croker, Ont.	" 14	Sept. 10, 1908	1,990 00		9 517
Four lighthouse towers	Pugwash Harbour, N.S.	" 19	Sept. 23, 1908	3,280 00		9 518
Lighthouse tower and cribwork pier.	North Sydney, N.S.	" 22	Sept. 16, 1908	1,420 00		9 517
Lobster hatchery	Georgetown, P.E.I.	" 25	Feb. 25, 1909	1,900 00		9 1,001-2
Dwelling for fog alarm station	Panmure Island, P.E.I.	Sept. 17	Oct. 26, 1908	1,340 00		9 625
Two lighthouse towers	L'Ardoise, N.S.	" 23	Oct. 16, 1908	675 00		9 777
Wooden lighthouse tower	Eatonville, N.S.	" 26	Nov. 16, 1908	365 00		9 777
"	Parker's Cove, N.S.	" 30	May 15, 1909	780 00		9 777
"	McNeil's Beach, N.S.	Oct. 5	Not awarded			
Public works	Winnipegosis, Man	" 27	Jan. 19, 1909	720 00		
Wooden lighthouse tower	Peter's Island, N.S.	Nov. 12	March 15, 1909	525 00		
"	Canso, N.S.	Dec. 21	June 11, 1909	3,000 00		
"	Little Liscomb, N.S.	Jan. 28				
Reinforced concrete beacon	Goderich, Ont.	Mch 19				

\* This list is here given in the order in which the requests for schedules were received at the Department of Labour.

† Omitted in last report.

‡ Building erected by days' work.

§ This schedule was prepared for checking accounts.



DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, IX. A. R. No. 8.

LIST OF CONTRACTS FOR WHICH FAIR WAGES SCHEDULES WERE REQUESTED BY THE DEPARTMENT OF MILITIA AND DEFENCE, AND PREPARED BY THE DEPARTMENT OF LABOUR, SHOWING ALSO AMOUNT OF CONTRACT, DATE AT WHICH AWARDED, AND WHERE FAIR WAGES SCHEDULES PUBLISHED, FOR THE FINANCIAL YEAR ENDING MARCH 31, 1909.

Nature of Work.*	Locality.	Date at which schedules supplied by Department of Labour.	Date of Contract	Amount of Contract.	Issue of Labour Gazette in which Fair Wages schedule was published	
					\$	ct
Public Works.....	Virden, Man.....	May 14.....				
Information on certain trades.....	Virden, Man.....	" 14.....				
".....	Ottawa-Rockcliffe, Ont.....	" 26.....				
".....	Halifax, N.S.....	July 9.....				
".....	St. Johns, Que.....	" 23.....				
".....	Niagara on the Lake, Ont.....	" 28.....				
".....	Victoria, B.C.....	Aug. 4.....				
Rifle Range.....	Prescott, Ont.....	" 18.....				
Information on all trades.....	Kingston, Ont.....	Oct. 24.....				
		1909				
Rifle Range.....	Nelson, B.C.....	Jan. 14.....				
".....	Edmonton, Alta.....	March 8.....				
	MISCELLANEOUS	1908				
Wire fencing.....	Buffalo Park, Alta.....	June 4.....				
".....	Reserve, Alta.....	" 4.....				
Railway line in Experimental Farms.....	Ottawa, Ont.....	Sept. 24.....				

\* This list is here given in the order in which the requests for schedules were received at the Department of Labour.



DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, IX. A. R. No. 9.

LIST OF SUPPLIES FURNISHED THE POST OFFICE DEPARTMENT BY CONTRACT OR OTHERWISE, UNDER CONDITIONS FOR THE PROTECTION OF THE LABOUR EMPLOYED, WHICH WERE APPROVED OF BY THE DEPARTMENT OF LABOUR DURING THE FINANCIAL YEAR ENDING MARCH 31, 1909.

Nature of Order.	Amount of Order.
	\$ cts.
Making and repairing metal dating and other stamps and type, and brass crown seals. ....	9,347 04
Making and repairing rubber dating and other hand stamps and type .....	775 57
Supplying stamping material, inclusive of making and repairing pads, also wooden boxes, and post marking and cancelling ink. ....	11,956 10
Making and repairing post office scales. ....	2,286 50
Supplying mail bags. ....	31,005 21
Repairing mail bags .....	14,823 01
Repairing mail locks, and supplying mail bag fittings. ....	9,205 10
Supplying portable letter boxes and repairing parcel receptacles, portable tin boxes, and railway mail clerk's tin boxes. ....	5,835 91
Miscellaneous orders for making and repairing postal stores. ....	1,481 15
Making up and supplying articles of official uniforms. ....	42,618 33
Total. ....	\$129,333 92

INVESTIGATION OF COMPLAINTS ARISING OUT OF CONDITIONS INSERTED IN GOVERNMENT CONTRACTS FOR THE PROTECTION OF LABOUR.

During the fiscal year seventeen complaints were received at the Department of Labour from or on behalf of workmen having reference to the alleged non-fulfilment of conditions inserted in public contracts for the protection of labour. Another complaint of the same character which was received near the close of the last financial year was investigated during the present year. Two others were from contractors, one being a protest against the rate of wages set for a certain class of labour in a Fair Wages Schedule to be inserted in a proposed contract and the other was with regard to certain classes of workmen who, it was alleged, had agreed to work for a lower rate of wages than that set forth in the Fair Wages Schedule forming part of the contract. Compared with the previous year there was an increase of eight complaints.

The first complaint to receive the attention of the officers of the Department was that received near the close of the previous fiscal year, alleging that certain supplies for the Department of Militia and Defence were being manufactured in Ottawa under unfair conditions. In this case the complainants had a wrong conception of the object and working of the Fair Wages Resolution, being, apparently, under the impression that it empowered the Department of Labour to fix a higher rate of wages for work done for the Government than was current in the trade. After certain investigations had been undertaken and the working of the Fair Wages Resolution fully explained to the complainants by one of the Fair Wages Officers, the complaint was withdrawn.

On investigation by one of the Fair Wage Officers the complaint concerning the contractors for the armouries building at Brandon, Man., was shown to be unfounded. The report showed that the contractors were



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adhering faithfully to the labour conditions in their contract, and were paying labourers from 2½c to 5c per hour more than other contractors in Brandon performing similar work, the rate of wages for that class of labour having fallen since the schedule was prepared.

During the month of May, 1908, a contractor tendering on the work of dredging the western entrance to Toronto harbour filed a complaint to the effect that the rates of wages fixed in the Fair Wages Schedule for labourers attached to the contract was too high. In this case the report of the Fair Wages Officer who prepared the schedule went to show that the rates in the locality had materially changed between the time at which the schedule was prepared and the time at which the complaint was filed. As the contract had not been executed, it was recommended that the rate be changed from \$1.75 to \$1.50 per day.

The complaint from Ladysmith, B.C., regarding the non-observance of the Fair Wages Schedule in the contract for the construction of a post office building in that place was adjusted by means of correspondence between the contractor and the Department. The contractors admitted that they were not paying the rate of wages set forth in the schedule to building labourers, alleging as a reason that men qualified for the work could not be obtained in Ladysmith, and stating that if they must pay the rate as provided in the Schedule it would be necessary for them to seek labour from outside sources. The contractors were informed that they were limited to the terms of the Fair Wages Schedule in their contract and that payment to any class of labour at a lower rate than that specified would render them liable to be called upon at any time to pay the additional amount due under the terms of the Fair Wages Schedule. No further action was necessary.

In connection with the complaint against the contractors for the examining warehouse at Winnipeg, Man., the complainants alleged that the rate of wages for structural iron workers had been omitted from the Fair Wages Schedule forming part of the contract; that the schedule had not been posted as required, and that ordinary labourers were engaged in the erection and construction of iron (a work, it was alleged, which should be performed by skilled mechanics) and were being paid at the rate set for ordinary labourers. An investigation by one of the Fair Wages Officers showed that the complaint was well founded, excepting in one particular, being that in regard to the posting of the schedule in a conspicuous place on the works. The rate of wages for structural iron workers had been inadvertently omitted from the schedule, but even that class of labour was fully protected under section 4 of the labour conditions inserted in all contracts let by the Department of Public Works, which reads as follows:—

“The foregoing schedule is intended to include all the classes of labour required for the performance of the work, but if any labour is required which is not provided for by any of the items in the above schedule, the Minister, or other officer authorized by him, whenever and as often as the occasion shall arise, shall have the power to fix the minimum rate of wages payable in respect of such labour, which minimum rate shall not be less than the rate of wages which is generally accepted as current in each trade or class of labour for competent workmen in the district where the work is being carried out.”



A satisfactory arrangement was effected with the contractors by which they agreed to employ men skilled in the erection and construction of iron and pay them at the rate prevailing in the district.

In connection with the complaint against the contractor for the armouries building at Hamilton, Ont., the complainants alleged (a) that he refused to comply with the working rules of the district, in respect to hours of labour, inasmuch as he insisted on carpenters working 9 hours per day, while 8 hours is generally recognized as being current; (b) that certain portions of the contract had been sublet, and (c) that aliens were being employed on the work. An investigation was made by one of the Fair Wages Officers, whose report showed that in regard to the first section of the complaint the contractor was not blamable, the carpenters having changed the working hours from 9 to 8 after the Fair Wages Schedule had been prepared and the contract executed. The complainants had no particulars in regard to the second section and the third was proven to be unfounded.

It was alleged that the contractors for certain drain work at Tête du Pont Barracks, Kingston, Ont., were not paying labourers in accordance with the rates prevailing in that place. An investigation was made by one of the Fair Wages Officers, who reported that the complaint was unfounded. It was claimed by the complainants that the work should be classified as that belonging to builders' labourers and paid for at the rate set for that class, being \$2.00 per day of 8 hours. In the opinion of the officer of the Department the work belonged to the ordinary labourers' class, and should be paid for at the rate of \$1.75 per day of 9 hours, which was the rate paid by the contractors.

One of the Fair Wages Officers made an investigation into the complaint against the contractor for the trestle bridge at Sydney, N.S., and effected a settlement of the dispute satisfactory to both sides.

In connection with the complaint from Glace Bay, N.S., alleging that carpenters were not receiving fair treatment in the payment of wages by the contractors for the post office building in that place, one of the Fair Wages Officers proceeded to Glace Bay to make an investigation. It seems that between the time the complaint was made and the arrival of the officer the workmen succeeded in effecting a settlement with the contractors without the intervention of the Department, and the Fair Wages Officer was so informed. No further action was necessary.

Complaints were received at the Department from several sources alleging that the contractor for certain buildings for the use of the Royal Northwest Mounted Police at Regina, Sask., was not paying bricklayers and other mechanics employed on the work in accordance with the custom prevailing in that district. Inquiries made at the Department of the Royal Northwest Mounted Police elicited the information that through an inadvertance a Fair Wages Schedule had not been inserted in the contract. When the contractor's attention was drawn to the complaint he voluntarily agreed to conform to the established labour conditions of the district.

A complaint from Frankford, Ont., alleged that the contractors for Section 2 of the Trent Valley Canal had refused to pay the complainant in



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accordance with the rates set forth in the Fair Wages Schedule, stating that he had worked for  $6\frac{1}{4}$  days as a common labourer and for 10 days as a carpenter, and had been offered payment at the rate of \$1.50 per day for the whole period. He claimed payment at the rate of \$1.75 per day for work performed as a common labourer and \$2.25 per day for the time he was employed as a carpenter. The complaint was investigated by one of the Fair Wages Officers, who reported that the complainant had worked the time as stated, but was unable to establish the claim that he had been employed as a carpenter. A settlement was effected whereby the contractors agreed to pay the complainant at the rate of \$1.75 per day for the whole time he had been employed. This was accepted as being satisfactory.

A satisfactory adjustment was made by one of the Fair Wages Officers in the case of the masons and stonecutters employed at the Citadel, Quebec, Que., procuring for these tradesmen the rates current in the city.

A complaint came from Toronto in which the contractors for the new observatory building were concerned. It was alleged that the sub-contractors doing the concrete work were employing unskilled labour in the manufacture of frames for concreting, claiming that the work should be done by carpenters and paid for at the rate set in the Fair Wages Schedule for that class of labour. An investigation was made by one of the Fair Wages Officers, who reported that he had found the facts as stated, but as the work was nearly completed it was agreed by complainants not to further pursue the case.

Another complaint of the same nature was that against the contractors for the post office annex at Montreal, Que. In this case carpenters were employed in the construction of frames for concrete and were paid at the rate set forth in the Fair Wages Schedule for builders' labourers, being 25 cents per hour, while the rate set for carpenters was 30 cents per hour. On investigation by one of the Fair Wages Officers it was found that seven of the workmen had been underpaid, and he recommended payment of the difference between what they had received and what they should have received had payment been made in accordance with the terms of the contract. The contractor subsequently forwarded a cheque in settlement of the claims.

In the case of the structural iron workers at St. Andrew's Rapids, Man., the complainant neglected to furnish essential information requested by the Department before proceeding to an investigation. Hence no action was taken.

During the month of January, 1909, a complaint was received to the effect that painters and decorators performing work on a portion of the House of Commons building were not being paid the rates of wages current in Ottawa. On investigation it was found that the work had been undertaken and was largely executed by the permanent staff of workmen employed by the Department of Public Works, but as the staff could not complete the work within the limited time at its disposal, it was found necessary to secure the assistance of certain firms in that line of trade. They were, therefore, given portions of the work to complete without contract. The work having, however, been completed before the complaint was made, no action could be taken by the Department.



The contractors for the post office building at Welland, Ont., wrote the Department of Public Works for information concerning the interpretation to be placed upon the Fair Wages Schedule inserted in their contract. It was stated by them that bricklayers and masons were offering their services at a lower rate than that set forth in the schedule, and the contractors asked if they were allowed to regulate such matters themselves. The communication was referred to the Department of Labour, when an officer informed the contractors that any payment of wages to bricklayers and masons at a lower rate than that specified in the Fair Wages Schedule would be a departure from the terms of the contract in which the schedule was included.

The two remaining complaints reached the Department two days prior to the close of the fiscal year, both being from the city of Quebec and relating to the non-payment of proper rates of wages to stonecutters. No action had been taken at the close of the fiscal year.

Taking into consideration all the complaints, either settled or filed during the year, two of these had to do with work being carried out in the Province of Nova Scotia, five with work in the Province of Quebec, eight with work in the Province of Ontario, three with work in the Province of Manitoba and one each with work in the Provinces of Saskatchewan and British Columbia.

Two complaints were with regard to work being done under contract for the Department of Militia and Defence, two for work being done under contract for the Department of Railways and Canals, one for work being done under contract for the Department of the Royal Northwest Mounted Police, and the remainder for work being performed for the Department of Public Works.

Fourteen of these complaints alleged non-payment of the proper rates of wages; three that contractors had sub-let portions of their contracts and under-payment of the workmen; two the employment of unskilled labour at a low rate of wages in the execution of work that should be performed by skilled tradesmen at a higher rate; one each failure on the part of the contractor to post the Fair Wages Schedule in a conspicuous place on the works; one the non-observance by the contractor of the working hours of the district; one the employment of aliens, and the manufacturing of supplies for the Government under unfair conditions; two others were from contractors, one objecting to a rate of wages set in a Fair Wages Schedule inserted in a contract for a work upon which he was tendering, and the other asking to be advised regarding the offer of workmen to accept a rate lower than that set in the Fair Wages Schedule in his contract.

The following table will show the nature of the investigations which have been made by the Fair Wages Officers of the Department during the year ended March 31, 1909, into complaints received at the Department, the nature of the claims presented, the Department of the Government effected, and the disposition made of the several claims:—



TABLE SHOWING NATURE AND RESULTS OF INVESTIGATIONS MADE BY THE FAIR WAGES OFFICERS DURING THE FINANCIAL YEAR ENDED MARCH 31, 1909.

I.—COMPLAINT RECEIVED PRIOR TO THE BEGINNING OF THE FISCAL YEAR 1908-09 AND INVESTIGATED DURING THE YEAR.

Complaint received.	Locality and Public Work.	Department affected.	Subject of Investigation	Disposition.
March 9, '08	Ottawa, Ont., Supplies for Dept. of Militia & Defence.	Militia and Defence.	That leather belts, frogs for bayonets, leggings, saddles and bridles were being manufactured for the Government by contract in Ottawa under unfair conditions.	On April 23 complainants asked permission to withdraw the complaint, when further investigation ceased.

II.—COMPLAINTS RECEIVED SINCE THE BEGINNING OF THE FISCAL YEAR 1908-09, AND INVESTIGATED DURING THE YEAR.

April 4, '08	Lachine Canal, Repairs.	R'ys & Canals	That the contractor for repairs to the Lachine Canal was not paying the current rate of wages to men employed on the works.	Referred to the Department of Railways and Canals. No action taken.
May 9, '08	Brandon, Man., Armouries building.	Public Works	That the contractors were not paying builders' labourers in accordance with the Fair Wages Schedule.	Complaint investigated by an officer of the Department, who reported that there was no ground for complaint, that the contractors were adhering faithfully to the labour conditions in their contract, and recommended that no further action be taken.
May 15, '08	Toronto, Ont., Dredging of Western entrance to Toronto Harbour.	Public Works	That the rate of wages (\$1.75 per day for ordinary labourers) as set forth in the Fair Wages Schedule prepared for this work was too high, and requested that it be lowered to \$1.50 per day.	The officer who prepared the Schedule reported that it was made in December, 1907, and was based on the figures prevailing throughout the previous summer. With the opening of the season of 1908 the rate for ordinary labourers had been reduced to \$1.50 per day. As the contract had not then been executed, he recommended that the figures be changed from \$1.75 to \$1.50.
May 23, '08	Ladysmith, B. C., Post Office Building.	Public Works	That the contractors were paying builders' labourers at a rate below that set forth in the Fair Wages Schedule.	The contractors were communicated with by an officer of the Department who effected an arrangement whereby the Fair Wage Schedule forming part of the contract should be strictly adhered to. No further action necessary.



TABLE SHOWING NATURE AND RESULTS OF INVESTIGATION, &c.—Continued.

Complaint received.	Locality and Public Work.	Department affected.	Subject of Investigation.	Disposition.
June 19, '08	Winnipeg, Man., Examining Warehouse Building.	Public Works.	That the contractors were employing unskilled labour in the erection and construction of iron work, contrary to custom in Winnipeg, claiming that such work should be performed by skilled mechanics at the rate of wages prevailing for structural iron workers.	Investigation was made by an officer of the Department, who reported that the complaint was well founded. An arrangement satisfactory to the complainants was made, whereby the contractors agreed to employ men skilled in the erection and construction of iron and pay them at the rate of 40c. per hour.
June 20, '08	Hamilton, Ont., Armouries Building.	"	That the contractor refused to comply with the working rules of the District in respect to hours of labour for carpenters; that portions of the contract were sub-let, and that aliens were employed on the work.	Investigation was made by an officer of the Department, who reported that the contractor was adhering strictly to the terms of the Fair Wages Schedule, the workmen having changed the working hours from 9 to 8 since the contract was executed, and advised that no action be taken. No particulars were available in connection with the charge of sub-letting, and the two workmen complained of as being aliens were found to be British subjects.
July 10, '08	Kingston, Ont., Drainage at Tete de Pont Barracks.	"	That the contractors for certain drain work at Tete de Pont Barracks were paying labourers \$1.75 per day of 9 hours, alleging that \$2.00 per day of 8 hours was current at Kingston.	Complaint investigated by an officer of the Department, who reported that there was no cause for complaint, and recommended that no further action be taken.
July 13, '08	Sydney, N.S., Trestle Bridge.	"	That the contractor was paying carpenters at the rate of \$2.00 per day of 10 hours, while the rate set forth in the Fair Wage Schedule is \$2.25 per day of 9 hours.	An officer of the Department made an investigation and effected a settlement satisfactory to the complainants.
July 13, '08	Glace Bay, N.S., Post Office Building.	"	That the contractors were not paying carpenters in accordance with the terms of the Fair Wages Schedule.	An officer of the Department proceeded to Glace Bay to investigate the complaint when the workmen concerned refused to give information regarding their claims. No further action was taken.
July 2, '08	Regina, Sask., Buildings for use of the Royal Northwest Mounted Police.	Royal Mounted Police.	That the contractor was not paying the current rate of wages to bricklayers and other mechanics employed on the works.	Through an inadvertence a Fair Wages Schedule had not been inserted in this contract, but when the contractor's attention was drawn to the complaint he agreed to conform to the labour conditions of the District. No further action was taken.
Sept. 8, '08	Frankford, Ont., Section 2, Trent Valley Canal.	Ry's & Canals	That the contractors refused to pay the rate of wages set forth in the Fair Wages Schedule to complainant for work performed as a carpenter and labourer.	Investigation was made by an officer of the Department, who reported that he had effected an arrangement which was satisfactory to the complainant, whereby he was to receive \$1.75 per day for the whole period of his employment.



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Sept. 23, '08	Quebec, Que., Work Militia and Defence. at Citadel.	That the contractors were not paying the current rates of wages to stonecutters and masons.	Complaint investigated by an officer of the Department, who reported that an arrangement had been concluded whereby the workmen would be paid the rate of wages current in the City of Quebec.
Oct. 14, '08	Toronto, Ont., Observatory Building	That the contractors were employing ordinary labour in the performance of work that should be executed by skilled mechanics.	Complaint investigated by an officer of the Department, who reported that as the work was almost completed the complainants did not desire to further pursue the complaint.
Dec. 10, '08	Montreal, Que., Post Office Annex.	That the contractors were paying carpenters at the rate of 25c. per hour, while the Fair Wages Schedule in the contract stipulates a rate of 30c.	Complaint investigated by an officer of the Department, whose report showed that seven workmen had been underpaid, and recommended payment of the difference between what the contractor paid and the rate set forth in the Fair Wages Schedule. The contractors subsequently forwarded a cheque in settlement of the claims.
Dec. 14, '08	St. Andrew's Rapids, Man., Lock and Dam.	That structural iron workers were not receiving the current rate of wages.	The complainant was requested to furnish more detailed information. Nothing further being received the matter was allowed to lapse.
Jan. 25 '08	Ottawa, Ont., Painting and Decorating House of Commons Building.	That the current rate of wages was not being paid to painters and decorators for work performed.	On investigation it was found that certain firms had been called in to assist in the completion of work undertaken by the permanent staff of the Department of Public Works. No action was taken.
Jan. 28, '08	Welland, Ont., Post Office Building.	The contractors wrote to the Department of Public Works stating that bricklayers and masons were offering their services at 35c. per hour, and asked if they (the contractors) were allowed to regulate such matters. The Fair Wages Schedule forming part of the contract stipulated a rate of 45c. per hour for such work.	The communication was referred to the Department of Labour, and an officer of this Department informed the contractors that any payment of wages to bricklayers and masons at a lower rate than 45c. per hour would be an infringement of the Fair Wages Schedule and a departure from the terms of the contract in which the Schedule was included. No further action was taken.

## III.—COMPLAINTS RECEIVED DURING THE FISCAL YEAR 1908-9, BUT REMAINING UNDISPOSED OF AT THE END OF THE YEAR.

Mar. 29, '09	Quebec, Que., Drill Public Works. Shed School of Gunnery.	That the contractors had sub-let the stone-cutting portion of the work and that stonecutters were paid at the rate of \$3.00 per day of 9 hours instead of 40c. per hour for a day of 8 hours, as required by the Fair Wages Schedule.	Investigation not commenced at end of fiscal year.
Mar. 29, '09	Quebec, Que., St. Roch Post Office.	That the contractors had sub-let the stone-cutting portion of the work and that the rate paid to stonecutters was \$2.25 per day, instead of 40c. per hour, as set down in the Fair Wages Schedule.	Investigation not commenced at end of fiscal year.



## XII.—STRIKES AND LOCKOUTS IN CANADA DURING 1908, WITH COMPARATIVE STATISTICS FOR THE YEARS 1901 TO 1908, INCLUSIVE.

The calendar year 1908 was remarkably free from strikes and lockouts in Canada, the number reported to the Department having been less than in any of the seven previous years during which a record has been kept. There were 69 strikes and lockouts in Canada during 1908, a decrease of 82 compared with the previous year. Three of these disputes began in the year 1907. The number of strikes and lockouts in existence in each of the previous years was 104 in 1901, 123 in 1902, 160 in 1903, 103 in 1904, 87 in 1905, 139 in 1906, and 151 in 1907.

The only disputes of serious consequences were a strike of cotton mill hands which took place at various points in the Province of Quebec, and a strike of machinists along the line of the Canadian Pacific Railway.

On May 4, the mule spinners employed by the Dominion Textile Company and the Montreal Cotton Company at Valleyfield, Hochelaga, and St. Henri, Que., to the number of about 267, went on strike, on account of a reduction of 10 per cent. in their wages, which the companies claimed was necessary to meet changed conditions in the cotton industry. On May 6, 1,200 other operatives went out at St. Henri, joined on May 12 by 350 at Hochelaga, and several hundred at Magog. A few days later the spoolers went out at Valleyfield, followed by 150 hands from the finishing department. The mill was then closed by the Montreal Cotton Company, throwing about 3,000 operatives out of work. At the end of May it was estimated that about 6,000 employees were idle owing to this dispute. The strike, which caused a loss of about 134,450 working days, lasted until June, in the course of which month many of the strikers returned to work pending an inquiry into the cotton industry on behalf of the Dominion Government. None of the mills affected, however, were in full operation during June. On the 29th of that month, Mr. W. L. Mackenzie King, C.M.G., Deputy Minister of Labour, was appointed a Commissioner to inquire into the dispute. An account of the proceedings of the Commission will be found in another portion of this Report.\*

On April 28, an application was received in the Department for the appointment of a Board under the Industrial Disputes Investigation Act, 1907, to deal with a dispute between the Canadian Pacific Railway Company and the employees in its mechanical department. The dispute arose from the posting of a notice by the Company on April 1, of the Company's intention to cancel on May 1, existing agreements with its employees on the Western lines and to substitute new rules with reference to the definition of machinists and boilermakers, the proportion of apprentices to journeymen in each trade, the hours of labour in roundhouses, the duties of helpers to machinists, and the method of dealing

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\*See page 116.



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with grievances. A Board was accordingly appointed, and proceeded to investigate the dispute. The recommendations of the Board received in the Department on July 20, were accepted by the Company, and were put into effect on August 1, but the employees declared that the findings of the Board were not acceptable to them.\*

On August 5, the men in the mechanical and car departments, to the number of about 8,000 went out, the strike extending to all the shops of the Company throughout the Dominion. The strike lasted until October 5, when it was declared off, and the award of the Conciliation Board was accepted by the men. The Company in the meantime had secured a large number of men to fill the places of the strikers, but on the termination of the strike it agreed to take measures to prevent any discrimination.

In the lumbering industry the principal dispute was a strike of shingle sawyers and bunchers at St. John, N.B., which caused all the shingle mills of that town to be closed from March 16 to October 1. The dispute arose from a reduction in wages, and work was finally resumed on the employers' terms. About 75 men were involved, and the loss of time incurred by them amounted approximately to 12,825 working days.

The strikes in the mining and quarrying industries were mainly of short duration the only prolonged dispute having been in the case of a general strike of granite cutters at the quarries at St. George, N.B. This dispute, which involved about 200 men and five firms began on June 1, upon the refusal of the employers to grant a demand for shorter hours and fortnightly instead of monthly payment of wages. The strike ended on August 22 in favour of the employees, after negotiations had taken place between the parties concerned. The loss of time amounted to about 14,400 working days.

## MAGNITUDE OF DISPUTES.

Out of the 66 trade disputes which began in 1908, only 4 involved 1,000 or more employees, compared with 13 in 1907. On the other hand 36 of the strikes and lockouts of 1908 affected each under 100 persons.

The total number of employees involved in trade disputes which began during 1908 was approximately 26,250, compared with 34,972 in 1907, and 26,014 in 1906.

## LOSS OF TIME IN WORKING DAYS.

The loss of time to employees through trade disputes during 1908 amounted approximately to 706,556 working days, compared with a loss of approximately 613,986 days in 1907. The increase in the loss of time was accounted for by the strikes of textile workers in the Province of Quebec and machinists on the line of the Canadian Pacific Railway. In these two strikes alone it is estimated that there was a loss amounting to 516,450 working days. In 1904, there was a loss of about 278,956 days; in 1905, the loss amounted to 284,140 days and in 1906 to 490,400 days.

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\* An account of the proceedings of the Board is given in the Appendix to this Report, on page 238.



## TRADES AFFECTED BY THE DISPUTES.

Out of 66 disputes which began in 1908, there were 12 in the building trades, 10 in the mining and quarrying industry and 9 in the metal working and shipbuilding trades. No strikes or lockouts occurred in any trade or industry connected with agriculture, fishing or leather working.

## LOCALITIES AFFECTED BY TRADE DISPUTES.

There were 26 strikes and lockouts reported to have occurred in the Province of Ontario during 1908, and 19 in the Province of Quebec. There were no disputes in Prince Edward Island, and only one in each of the provinces of Manitoba and Saskatchewan.

## CAUSES OF DISPUTES.

In 38 of the strikes and lockouts the question of changes in wages was involved, in 22 cases the demand for an increase in wages was the sole cause of the dispute, and in 14 cases the sole cause was a reduction in wages. The question of hours of labour entered into 9 disputes. In 4 disputes a principal cause was the employment of non-unionists. Only 1 sympathetic strike was reported to the Department.

## METHODS OF SETTLEMENT.

Of the 69 disputes in existence during 1908, 14 were settled by negotiations between the parties concerned, in 23 cases work was resumed on the employers' terms without any negotiations and in 17 cases the employers succeeded in filling the places of the strikers, 2 trade disputes were settled by arbitration and 4 by conciliation.

## RESULTS OF DISPUTES.

Of the 69 disputes in existence during 1908, 43 ended in favour of the employers, 13 in favour of the employees and in 10 cases compromises were effected. In one case the dispute was unsettled at the close of the year and in 2 the results were not definite or were not reported to the Department.

## RESULTS OF DISPUTES CLASSIFIED ACCORDING TO THEIR CAUSES.

The classification of the results of trade disputes according to their causes show that out of 22 which arose from a demand for higher wages, 13 ended in favour of the employers, 5 in favour of the employees and 4 resulted in compromises. Out of 14 disputes which arose from a reduction in wages, the employers were successful in 8, the employees in 3, while compromises were reached in 2 cases, and in 1 the result was not reported. The employers were successful in 6 disputes which arose on account of discharge of employees, and the only sympathetic strike reported during the year resulted in favour of the employers.



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In the tables and charts printed herewith particulars are given of the trade disputes of 1908 with comparative statistics for the past seven years, classified under various headings.

The following table contains a list of all the trade disputes which took place in Canada during the year 1908, arranged according to industries and trades, showing in each dispute the occupation of the workpeople concerned, the locality in which the dispute occurred, the principal cause of the dispute, the method of settlement, the result in so far as it was in favour of the employer or the employee or a compromise, the dates of commencement and termination, the approximate number of establishments and employees affected, and the approximate loss of time in working days, so far as it could be ascertained:—



DEPARTMENT OF LABOUR, CANADA  
STATISTICAL TABLE, SERIES IX, A.R. No. 11.

CLASSIFIED TABLE OF TRADE DISPUTES IN EXISTENCE IN CANADA DURING 1908.

Occupation.	Locality.	Alleged Cause or Object.	Method of Settlement.	Result.	Date of Commencement.	Date of Termination.	No. of establishments affected.	Approximate No. of employees affected.	Approximate loss of time in working days.
LUMBERING.									
Planing mill hands....	St. Remuald, Que....	Against reduction in wages...	Conciliation .....	Compromise .....	Jan. 17	Jan. 22	1	200	800
Shingle sawyers and bunchers.	and St. John, N.B. ....	Against reduction in wages...	Work resumed .....	In favour of employers.	Feb. 16	Oct. 1	....	75	12,825
Axemen.....	Sillery, Que.....	Against discharge of employee.	Conciliation .....	In favour of employer.	July 6	July 8	1	18	36
Sawmill hands.....	Sault au Mouton, Que....	Against delay in payment of wages.	Work resumed, no negotiations	In favour of employer.	Sept. 10	Sept. 14	1	135	405
MINING AND QUARRYING.									
Coal miners.....	Coal Creek, B.C.....	Against a new system of timbering.	Settled by negotiations between parties concerned under agreement of May 4, 1908.	Compromise .....	Jan. 29	Feb. 1	1	1,125	3,375
Gold miners .....	Goldbrook, N.S.....	Against a reduction in wages	Work resumed by some strikers, places of others were filled.	In favour of employers.	Feb. 21	Mar. 2	1	22	176
Iron miners .....	Wilbur, Ont.....	For increase in wages and against increase in hours.	Places of strikers were filled ...	In favour of employers.	April 11	April —	1	36	612
Coal miners.....	Coleman, Alta.....	For higher wages for new work.	Settled by a joint committee under agreement.	In favour of employees.	Apr. 30	June 13	1	441	5,733
Coal mine employees..	Port Hood, N.S.....	For increase in wages..	Settled by conciliation under I. D. I. Act.	Compromise .....	May 1	May 5	1	300	1,200
Coal miners.....	Michel, B.C.....	Against discharge of an employee.	Work resumed, no negotiations	In favour of employers.	May 18	May 23	1	920	4,600
Coal miners.....	Michel, B.C.....	Against discharge of employees.	Work resumed, no negotiations	In favour of employers.	May 25	May 29	1	920	4,600
Granite cutters.....	St. George, B.C.....	For shorter hours and fortnightly instead of monthly payment of wages.	Negotiations between parties concerned.	In favour of employees.	June 1	Aug. 22	5	200	14,200
Coal miners.....	Taber, Alta.....	Dispute over pay day ..	Negotiations between parties concerned.	Compromise ..	Dec. 11	Dec. 17	1	75	375
Coal miners.....	Middlesboro, B.C....	Dispute over wages and conditions of employment.	Negotiations between parties concerned.	Compromise .....	Dec. 15	Dec. 17	1	....	....

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BUILDING.	Port Colborne, Ont.	Against a reduction in wages.	Negotiations concerned.	between parties	In favour of employ-ees.	April 1	6	1	85	340
Builders' labourers.	St. Catharines, Ont.	For increase in wages.	Negotiations concerned.	between parties	In favour of employ-ees.	April 1	11	3	20	200
Painters.	St. John, N.B.	For increase in wages.	Negotiations concerned.	between parties	In favour of employ-ees.	April 1	7	11	70	350
Builders' labourers and bricklayers.	Ottawa, Ont.	For increase in wages.	Places of strikers were filled.	between parties	In favour of employ-ees.	April 22	April	1	80	640
Bricklayers and masons.	Halifax, N.S.	For shorter hours.	No negotiations.	between parties	Indefinite.	May 1	.....	7	55	1,430
Bricklayers.	Montreal, Que.	Against reduction in wages.	Places of strikers were filled.	between parties	In favour of employ-ees.	May 1	.....	30	500	6,000
Bricklayers.	Berlin, Ont.	Against reduction in wages.	Negotiations concerned.	between parties	In favour of employ-ees.	May 1	May	7	75	600
Bricklayers, masons & stonecutters.	Calgary, Alta.	Against method of payment.	Negotiations concerned.	between parties	In favour of employ-ees.	May 19	July	13	53	2,491
Builders' labourers.	Midland, Ont.	For increase in wages.	Negotiations concerned.	between parties	In favour of employ-ees.	June 17	June	22	250	1,000
Plasterers.	Toronto, Ont.	Against reduction in wages.	Negotiations concerned.	between parties	In favour of employ-ees.	July 2	July	28	350	7,700
Plasterers.	Montreal, Que.	Against reduction in wages.	Places of strikers were filled.	between parties	In favour of employ-ees.	Aug. 12	Aug.	1	17	170
Carpenters.	Brockville, Ont.	Objection to wages paid and to being laid off without cause.	Negotiations concerned.	between parties	In favour of employ-ees.	Dec. 7	Dec.	14	6	36
METALWORKING AND SHIPBUILDING.										
Machinists.	Ottawa, Ont.	Against a reduction in wages.	Negotiations concerned.	between parties	Compromise.	Jan. 20	Jan.	22	18	36
Tin workers.	Montreal, Que.	Against a reduction in wages.	Work resumed by some strikers and places of others filled.	between parties	In favour of employ-ees.	Jan. 9	Jan.	14	246	984
Shipbuilders.	Collingwood, Ont.	Against a reduction in wages.	Works closed indefinitely.	between parties	Indefinite.	Jan. 7	.....	1	458	35,724
Iron moulders.	Brantford, Ont.	Against conditions of employment.	Places of strikers were filled.	between parties	In favour of employ-ees.	April 1	Sept.	1	100	13,100
"	Longueuil, Que.	Against employment of non-unionists.	Places of strikers were filled.	between parties	In favour of employ-ees.	May 1	June	1	20	510
"	Weston, Ont.	Against a reduction in wages and employment of non-unionists.	Places of strikers were filled.	between parties	In favour of employ-ees.	May 18	June	1	40	480
Brass workers.	Port Colborne, Ont.	Employees alleged they were locked out for absents themselves. Dissatisfaction with shop rule.	Negotiations concerned.	between parties	In favour of employ-ees.	June 8	June	12	15	60
Tinsmiths.	Kingston, Ont.	For a decrease in hours.	Work resumed, no negotiations.	between parties	In favour of employ-ees.	June 1	July	1	18	468
Iron moulders.	Hamilton, Ont.	For increase in payment for short moulds.	Work resumed, no negotiations.	between parties	In favour of employ-ees.	Aug. 5	Aug.	17	45	495
WOODWORKING AND FURNISHING.										
Upholsterers.	Guelph, Ont.	Against a reduction in wages.	Places of strikers were filled.	between parties	In favour of employ-ees.	Jan. 10	April	1	17	1,326



CLASSIFIED TABLE OF TRADE DISPUTES IN EXISTENCE IN CANADA DURING 1908. Continued.

Occupation.	Locality.	Alleged Cause or Object.	Method of Settlement	Result.	Date of Commencement.	Date of Termination.	No. of establishments affected.	Approximate No. of employees affected.	Approximate loss of time in work days.
TEXTILE TRADES.									
Stocking knitters.....	St. Hyacinthe, Que.	For increase in wages.....	Negotiations between parties concerned.	In favour of employers.	Feb. 24	March 6	1	12	120
Textile workers.....	Sherbrooke, Que.....	Objection to doing a certain class of work.	Work resumed by most of the strikers, no negotiations.	In favour of employees.	Feb.	Feb.	1	12	12
Cotton mill hands.....	Hochelaga, Que.....	Against employment of a particular person.	Negotiations between parties concerned.	In favour of employers.	March 3	March 9	2	1,200	6,000
“ “ .....	Valleyfield, Hochelaga, St. Henri, Magog and Montreal, Que.	Against reduction of 10 per cent in wages.	Work resumed by many strikers, no negotiations.	In favour of employers.	May 4	June —	2	6,000	127,950
Woollen mill hands.....	St. Hyacinthe, Que.	Against discharge of unionist employees.	Work resumed by many strikers, no negotiations.	In favour of employees.	May 12	May —	1	300	1,800
Mule spinners.....	Montmorency Falls, Que.	For increase in wages for work.	Negotiations between parties concerned.	Compromise	May 18	May 26	1	18	90
CLOTHING TRADES.									
Corset workers.. ..	St. Hyacinthe, Que.	Against new conditions of employment.	Work resumed, no negotiations.	In favour of employer	Dec. 13	Jan. 28	1	100	2,400
Shoe workers.....	Levis, Que.....	For increase in wages.....	No negotiations, places of strikers filled.	In favour of employer	Dec. 3	Jan. —	1	135	1,350
Tailors.....	Kingston, Ont.....	Against declaration for open shops following a demand for higher wages and shorter hours.	Negotiations between parties concerned.	In favour of employees.	Sept. 23	Feb. 6	5	50	1,550
Garment workers.....	Sherbrooke, Que ..	Against discharge of employees.	Most strikers returned to work, places of others were filled.	In favour of employer	Feb. 17	Feb. 22	1	16	64
“ “ .....	Montreal, Que.....	Against increase in hours and for a guarantee of wages.	Some strikers returned to work, places of others were filled.	In favour of employer	Feb. 24	April —	1	200	6,400
Shoe lasters.....	Quebec, Que.....	Against a new scale of wages following introduction of new machinery.	Arbitration.....	Compromise	Nov. 3	Nov. 19	1	340	4,700
“ .....	Aurora, Ont.....	Against a new scale of wages following introduction of new machinery.	Work resumed, no negotiations.	In favour of employers.	Nov. 2	Nov. 14	1	79	474



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Tailors.....	Montreal, Que.....	Against employment of a non-unionist.	Not settled at end of year but employers claimed places of most strikers were filled.	No settlement at end of year.	1	30	120
<b>FOOD AND TOBACCO PREPARATION.</b>							
Cigar makers.....	Montreal, Que. ....	Against employment of non-unionists, strikers also alleged employers had violated an agreement.	Places of strikers were filled.	In favour of employer. Jan. 14 Feb.	1	83	1,328
<b>PRINTING AND BOOKBINDING.</b>							
Printers.....	St. John, N.B.....	Against discharge of an employee.	Places of strikers were filled.	In favour of employer. Mar. 22 April	1	40	360
<b>TRANSPORT.</b>							
Teamsters.....	Fernie, B.C. ....	For increase in wages and shorter hours.	Negotiations between parties concerned.	In favour of employers. April 3 April 4	10	22	22
Longshoremen.....	Windsor, Ont.....	For increase in wages.	Places of strikers were filled.	In favour of employer. April 21 April 22	1	50	50
Freight handlers.....	Owen Sound, Ont....	Against reduction in wages and against bonus system.	Negotiations between parties concerned.	In favour of employer. May 7 May 11	1	250	1,000
"	Depot Harbour, Ont.	For increase in wages.	Work resumed, no negotiations.	In favour of employer. July 13 July 17	1	100	400
Railway machinists....	Montreal, Ottawa, Toronto, London, Winnipeg & other points on C.P.R.	Against changes in conditions of labour recommended by Board of Conciliation.	Work resumed on terms of award of Board of Conciliation.	In favour of employer. Aug. 5 Oct. 5	1	8,000	424,000
Teamsters.....	Ingersoll, Ont.....	Against increase of work.	Work resumed by most strikers.	In favour of employer. Aug. 7 Aug. 8	1	20	20
Freight handlers.....	Windsor, Ont.....	For increase in wages.	Places of strikers were filled.	In favour of employer. Sept. 1 Sept. 3	1	40	80
<b>MISCELLANEOUS TRADES.</b>							
Paper box makers.....	Winnipeg, Man.....	Against increase in hours and reduction in wages.	Negotiations between parties concerned.	Compromise. .... Mar. 9 Mar. 12	1	16	48
Paper makers.....	Grand'Mere, Que....	Sympathetic.	Work resumed, no negotiations.	In favour of employer. Oct. 16 Nov. 2	1	400	5,600
<b>UNSKILLED LABOUR.</b>							
Snow handlers.....	Ottawa, Ont.....	For increase in wages.	Negotiations between parties concerned.	In favour of employer. Feb. 4 Feb. 6	1	85	170
Tunnel workers.....	Windsor, Ont.....	For increase in wages.	Places of strikers were filled.	In favour of employer. Mar. 6 Mar. 11	1	25	125
"	Windsor, Ont. ....	For increase in wages.	Places of strikers were filled.	In favour of employer. May 18 May 20	1	120	240
Labourers.....	New Westminster, B.C.	For increase in wages.	Places of strikers were filled.	In favour of employer. June 5 June 6	1	25	25
"	Prince Albert, Sask.	For increase in wages.	Work resumed, no negotiations.	In favour of employer. June 30 July 3	2	200	800
Railway construction labourers.	Moneton, N.B.....	For increase in wages.	Work resumed by most strikers.	In favour of employer. Aug. 1 Aug. 3	1	300	600
Railway construction labourer.	Campbellton, N.B..	For increase in wages.	Work resumed by most strikers.	In favour of employer. Aug. 10 Aug. 12	1	800	1,600
Labourers.....	Guelph, Ont.....	For shorter hours.	Negotiations between parties concerned.	Compromise. .... Oct. 27 Oct. 29	1	140	280



NUMBER AND MAGNITUDE OF TRADE DISPUTES.

The following table illustrates by months the number and magnitude of trade disputes which began during the calendar year:—

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, IX. A. R. No. 12.

TABLE SHOWING MAGNITUDE OF TRADE DISPUTES IN CANADA DURING THE CALENDAR YEAR 1908, CLASSIFIED BY MONTHS ACCORDING TO NUMBER OF EMPLOYEES INVOLVED.

Magnitude.	NUMBER OF DISPUTES.												Total
	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	
2,000 and over.					1			1					2
1,000 to 2,000.	1		1										2
500 to 1,000.					3			1					4
300 to 500.	2			1	2		1	1		1	1		9
200 to 300.	1	1			1	3							6
100 to 200.		1		1	2		1		1	1			7
50 to 100.	1	1	1	4	3						1	1	12
25 to 50.			2	1		1		1	1			1	7
6 to 25.	2	3	1	2	2	2	1	2				1	16
Unknown.												1	1
Total.	7	6	5	9	14	6	3	6	2	2	2	4	66

Chart No. 1, facing this page, illustrates the variations from month to month of the number of employees involved in trade disputes during each year from 1901 to 1908, inclusive.

The following table shows the magnitude of trade disputes which occurred during each of the past eight years, according to the number of workpeople involved:—

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, IX. A. R. No. 13.

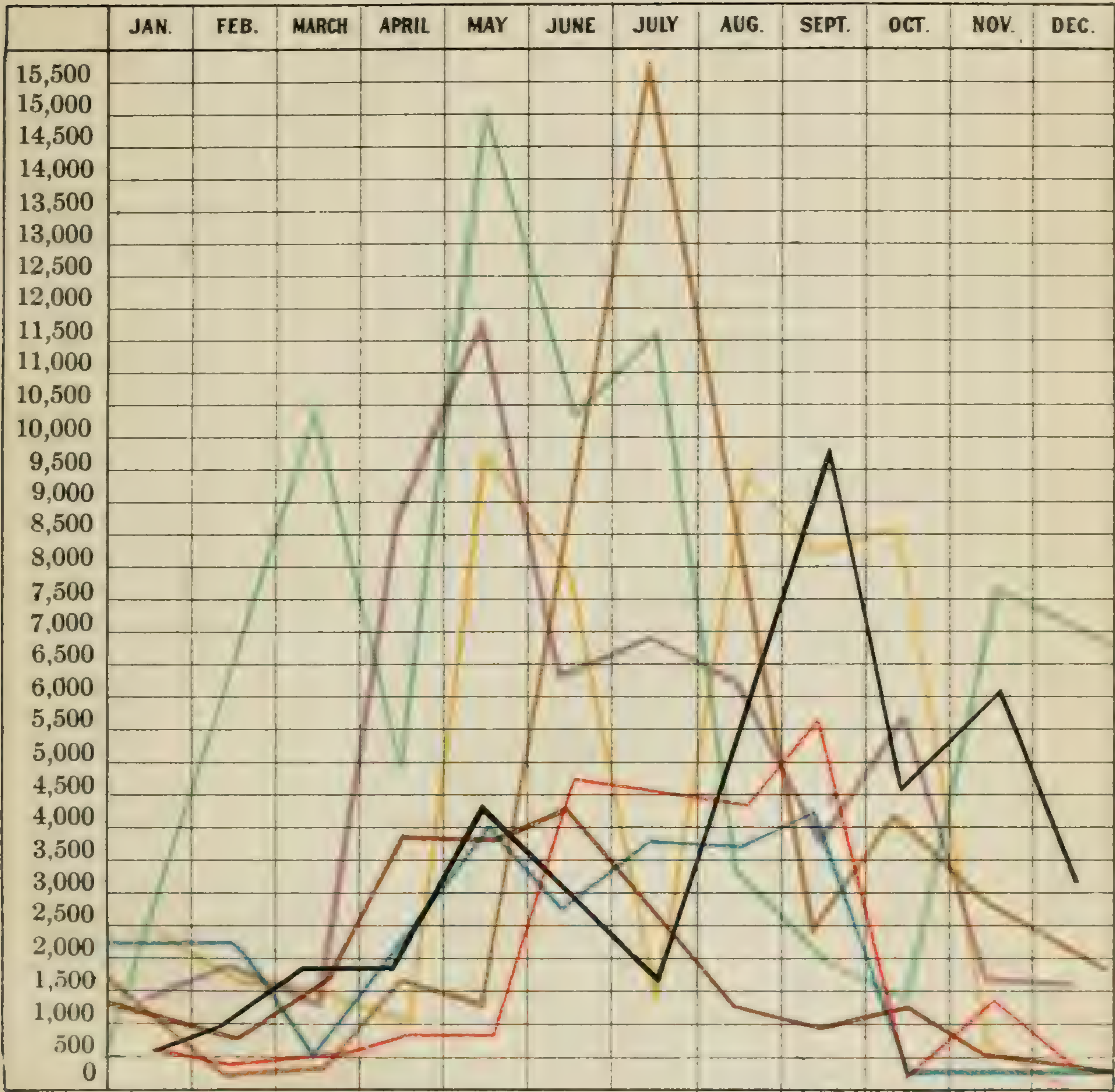
TABLE SHOWING MAGNITUDE OF TRADE DISPUTES IN CANADA ACCORDING TO NUMBER OF EMPLOYEES INVOLVED DURING THE YEARS 1901, 1902, 1903, 1904, 1905, 1906, 1907 AND 1908.

Magnitude.	Year.								Total
	1901	1902	1903	1904	1905	1906	1907	1908	
2,000 and over	3		5	2		1	3	2	16
1,000 to 2,000	3	2	5	3	4	4	10	2	33
500 to 1,000	5	1	10	2	5	6	7	4	40
300 to 500	5	8	9	9	4	6	9	9	59
200 to 300	4	7	18	2	4	15	7	6	63
100 to 200	4	15	23	10	15	14	18	7	106
50 to 100	14	21	19	15	17	29	28	12	155
25 to 50	24	28	34	23	17	32	28	7	193
6 to 25	31	37	36	35	21	30	31	16	237
Unknown	11	4	1	2		1	5	1	25
Total	104	123	160	103	87	138	146	66	927



DEPARTMENT OF LABOUR, CANADA.  
STATISTICAL CHART, IX, A. R. No. 1

CHART SHOWING VARIATION IN NUMBER OF EMPLOYEES INVOLVED IN TRADE  
DISPUTES IN CANADA EACH MONTH DURING 1901 TO 1908 INCLUSIVE.



1901

1905

1902

1906

1903

1907

1904

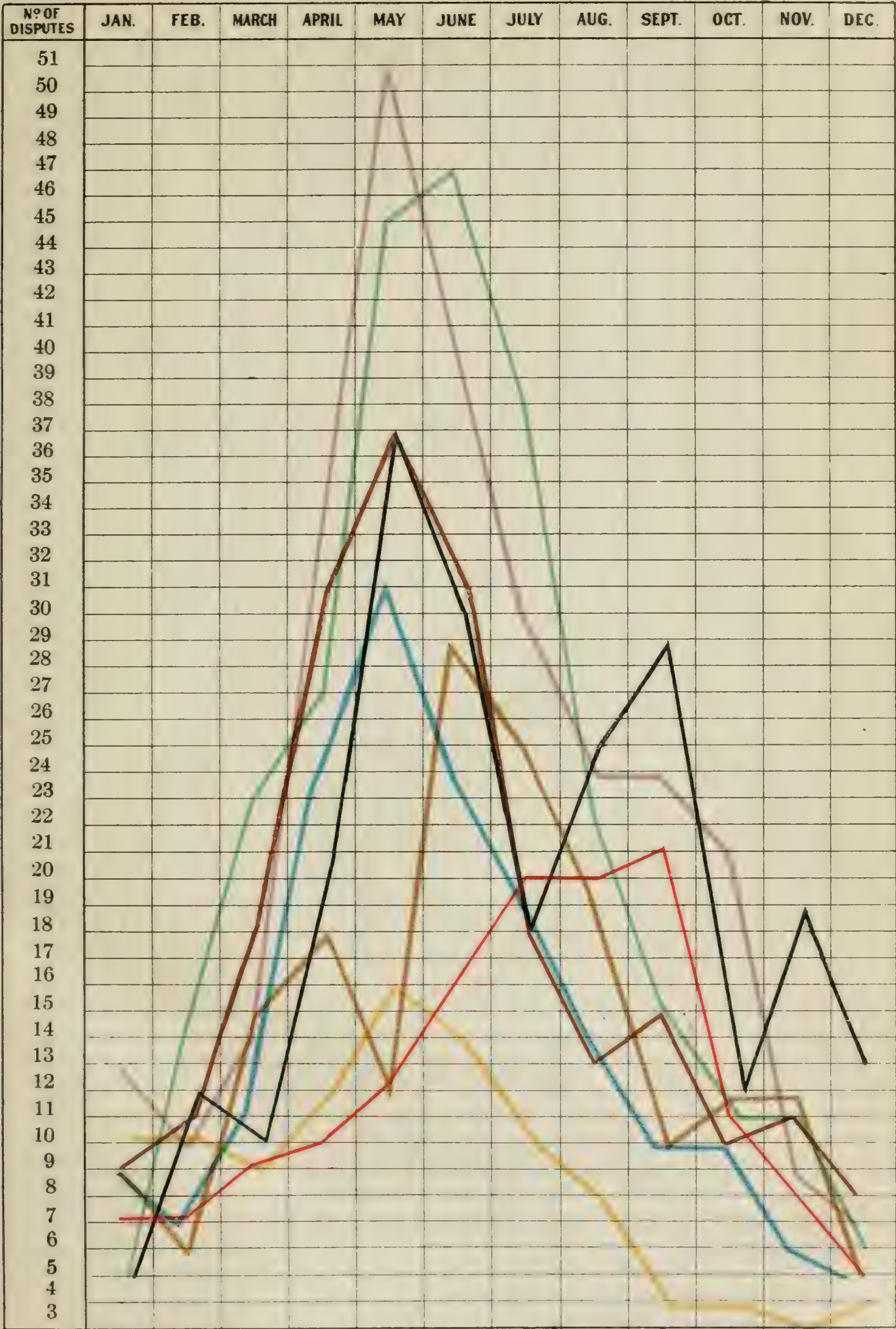
1908







CHART SHOWING THE NUMBER OF TRADE DISPUTES BY MONTHS IN CANADA  
DURING THE YEARS 1901 TO 1908 INCLUSIVE.



1901  
1902  
1903

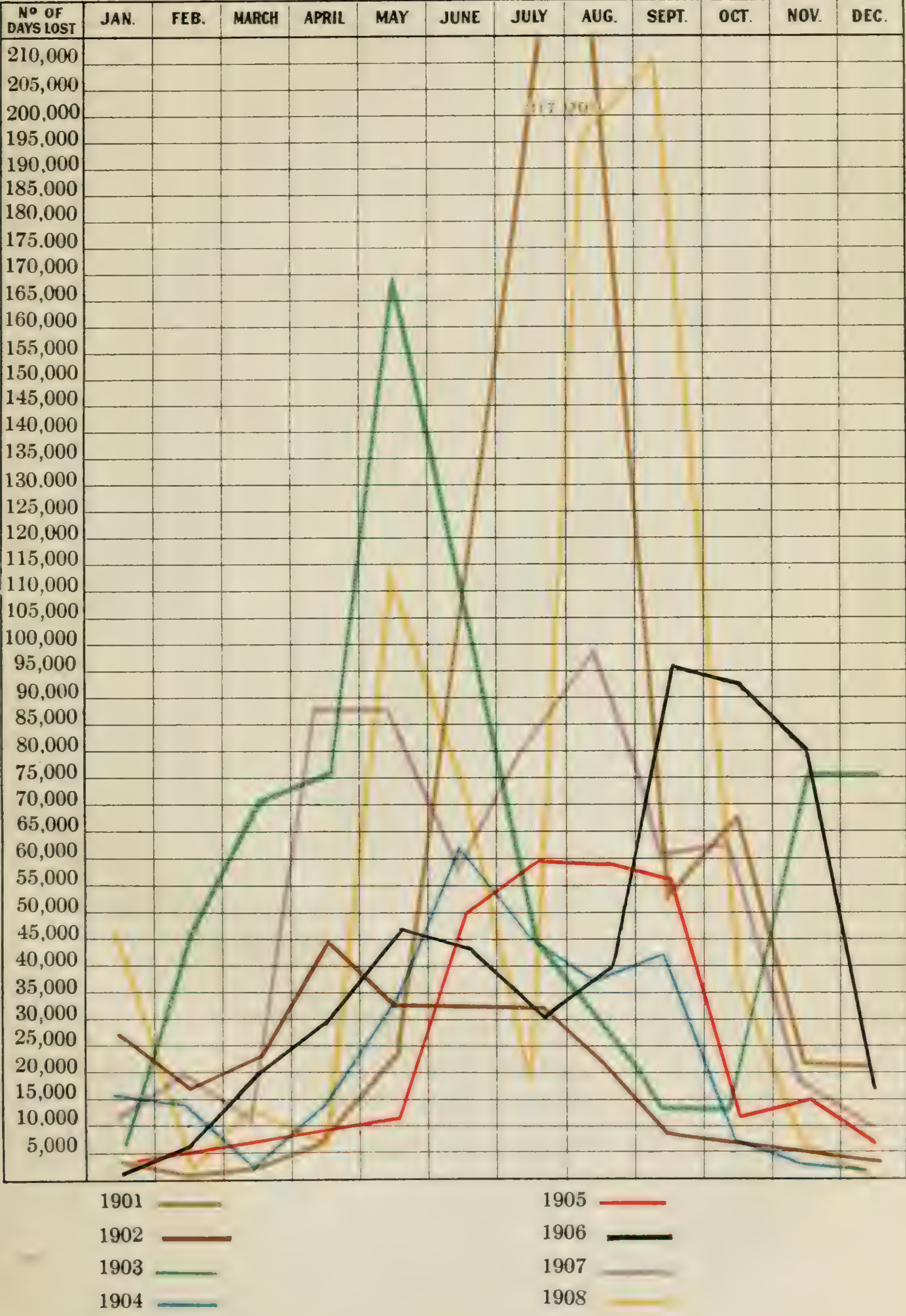
1904  
1905  
1906  
1907  
1908







CHART SHOWING LOSS OF TIME IN WORKING DAYS THROUGH TRADE DISPUTES  
BY MONTHS DURING THE YEARS 1901 TO 1908









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The following table shows the approximate number of employees affected by trade disputes during 1908, according to the month in which they began:—

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, IX. A. R. No. 14.

TOTAL NUMBER OF EMPLOYEES INVOLVED IN TRADE DISPUTES, WHICH  
BEGAN DURING THE CALENDAR YEAR 1908.

	Directly.	Indirectly.	Total.
January.....	1,795	414	2,209
February.....	350	150	500
March.....	1,353	.....	1,353
April.....	854	25	879
May.....	9,366	340	9,706
June.....	608	100	708
July.....	465	3	468
August.....	9,182	.....	9,182
September.....	135	40	175
October.....	390	150	540
November.....	48	371	419
December.....	111	.....	111
	24,657	1,593	26,250

The above figures show that the greatest number of employees were involved in trade disputes which began in the month of May, the month of August coming next. In only two other months, namely, January and March, were more than 1,000 employees involved in new disputes, whereas in 1907, there were 9 months in which more than 1,000 employees were involved.

The following table shows approximately the number of firms or establishments affected by trade disputes during the year:—

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, IX. A. R. No. 15.

APPROXIMATE NUMBER OF FIRMS OR ESTABLISHMENTS AFFECTED BY  
TRADE DISPUTES IN CANADA, WHICH BEGAN DURING THE CAL-  
ENDAR YEAR 1908.

Month.	Number of firms affected.		Total
	Directly.	Indirectly.	
January.....	7	.....	7
February.....	6	.....	6
March.....	11	.....	11
April.....	24	6	30
May.....	56	.....	56
June.....	15	.....	15
July.....	32	.....	32
August.....	6	.....	6
September.....	2	.....	2
October.....	2	.....	2
November.....	2	.....	2
December.....	4	.....	4
Total.....	167	6	173

From this table it may be seen that more employers were affected by disputes which began in May than in any other month. The month of July came next followed closely by April. In the four months from April to July, no less than 133 firms were affected, out of a total of 173 for the whole year.



DISPUTES BY MONTHS.

The preceding tables show that the greatest number of disputes occurred in the month of May, April having the next highest number. The table given below shows the number of disputes by months during the last eight years.

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, IX. A. R. No. 16.

TABLE SHOWING TRADE DISPUTES IN CANADA BY MONTHS DURING THE YEARS 1901, 1902, 1903, 1904, 1905, 1906, 1907 AND 1908.

Month.	Number of Disputes.								
	1901	1902	1903	1904	1905	1906	1907	1908	Total.
January.....	7	8	6	9	6	12	8	7	63
February.....	3	5	12	5	4	6	3	6	44
March.....	13	12	22	9	6	8	8	5	83
April.....	12	20	23	20	8	13	28	9	133
May.....	7	27	29	23	11	28	33	14	170
June.....	23	18	23	9	12	14	20	6	125
July.....	14	7	15	6	13	8	15	3	81
August.....	5	6	11	6	8	17	12	6	71
September.....	5	9	7	3	9	15	8	2	58
October.....	5	4	6	8	3	3	7	2	38
November.....	7	7	3	2	3	12	3	2	39
December.....	3	.....	3	3	4	2	3	4	22
Total.....	104	123	160	103	87	138	146	66	927

The variation in the total number of trade disputes in existence from month to month during the years 1901 ot 1908, inclusive, is shown in Chart No. 2, following page 160.

NUMBER OF DISPUTES ACCORDING TO INDUSTRIES AND TRADES AFFECTED.

The following table indicates the number of disputes in the various industries and trades during the year 1908:—

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, IX. A. R. No. 17.

TABLE SHOWING INDUSTRIAL DISPUTES BY INDUSTRIES AND TRADES IN CANADA DURING THE CALENDAR YEAR 1908.

Trades.	Number of Disputes.												
	Jan.	Feb.	Mar.	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total
Agriculture.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fishing.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Lumbering.....	1	.....	1	.....	.....	.....	1	.....	1	.....	.....	.....	4
Mining and quarrying.....	1	1	.....	2	3	1	.....	.....	.....	.....	.....	2	10
Building.....	.....	.....	.....	4	4	1	1	1	.....	.....	.....	1	12
Metal working and shipbuilding.....	3	.....	.....	1	2	2	.....	1	.....	.....	.....	.....	9
Wood working and furnishing trades.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1
Textile trades.....	.....	2	1	.....	3	.....	.....	.....	.....	.....	.....	.....	6
Clothing trades.....	.....	2	.....	.....	.....	.....	.....	.....	.....	.....	2	1	5
Food and tobacco preparation.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1
Leather.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Printing and book-binding.....	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	1
Transport.....	.....	.....	.....	2	1	.....	1	2	1	.....	.....	.....	7
Unskilled labour.....	.....	1	1	.....	1	2	.....	2	.....	1	.....	.....	8
Miscellaneous trades.....	.....	.....	1	.....	.....	.....	.....	.....	.....	1	.....	.....	2
Total.....	7	6	5	9	14	6	3	6	2	2	2	4	66



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The following table shows approximately the number of employees affected by trade disputes during 1908, according to their respective trades and industries:—

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, IX. A. R. No. 18.

TABLE SHOWING BY TRADES AND INDUSTRIES APPROXIMATE NUMBER OF EMPLOYEES AFFECTED BY TRADE DISPUTES IN CANADA DURING THE CALENDAR YEAR 1908.

Industry or Trade.	Approximate No. of Employees.
Lumbering .....	428
Mining and quarrying .....	4,039
Building .....	1,561
Metal working and shipbuilding .....	960
Textile trades .....	7,542
Clothing trades .....	950
Food and tobacco preparation .....	83
Printing and bookbinding .....	40
Transport .....	8,482
Miscellaneous trades .....	416
Unskilled labour .....	1,695
<b>Total. ....</b>	<b>26,196</b>

From the above table it may be seen that there were more employees affected in the transportation industries than in any other. This was due to the general strike of machinists of the Canadian Pacific Railway Company. The next highest number was in the textile trades followed by the mining and quarrying industries.

The following table shows the number of disputes in each trade or industry from 1901 to 1908, inclusive, from which it may be seen that by far the largest number have been in the building and metal trades:—

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, IX. A. R. No. 19.

TABLE SHOWING INDUSTRIAL DISPUTES BY INDUSTRIES AND TRADES IN CANADA DURING THE YEARS 1901, 1902, 1903, 1904, 1905, 1906, 1907 AND 1908.

Trades.	Number of Disputes.								
	1901	1902	1903	1904	1905	1906	1907	1908	Total.
Agriculture .....					2				2
Building .....	14	28	44	29	19	29	45	12	220
Metal .....	23	31	17	16	13	21	17	9	147
Woodworking and lumbering .....	4	10	9	3	2	12	6	5	51
Textile .....	6	1	5	3	1	4	6	6	32
Clothing .....	10	9	11	12	11	9	17	5	84
Food and tobacco preparation .....	9	10	6	11	4	8	50	1	50
Leather .....	1	3	4	1		3	5		17
Printing and bookbinding .....	2	3	3	5	7	6	2	1	29
Transport .....	4	4	18	2	4	15	14	7	68
Longshoremen .....	5	4	4		1	1	3		18
Mining .....	5	3	9	6	12	13	14	10	72
Fishing .....	2	1	1	2		1	1		8
Unskilled .....	11	6	9	3	2	12	7	8	58
Miscellaneous .....	8	10	20	10	9	5	7	2	71
<b>Total.....</b>	<b>104</b>	<b>123</b>	<b>160</b>	<b>103</b>	<b>87</b>	<b>138</b>	<b>146</b>	<b>66</b>	<b>927</b>



DISPUTES BY LOCALITIES AFFECTED.

The following table shows the number of trade disputes which occurred in the different provinces of Canada classified according to the months in which they began:—

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, IX. A. R. No. 20.

TABLE SHOWING TRADE DISPUTES IN CANADA BY PROVINCES DURING THE  
CALENDAR YEAR 1908.

Province.	Number of Disputes.												
	Jan.	Feb.	Mar.	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total
Nova Scotia.....		1			2								3
Prince Edward Island.....													
New Brunswick.....			2	1		1		2					6
Quebec.....	3	4	1		5		1	1	1	1	1	1	19
Ontario.....	3	1	1	6	4	3	2	2	1	1	1	1	26
Manitoba.....			1										1
Saskatchewan.....						1							1
Alberta.....				1	1							1	3
British Columbia.....	1			1	2	1						1	6
More than one province affected.....								1					1
Total.....	7	6	5	9	14	6	3	6	2	2	2	4	66

The number of disputes which took place in each province during the past eight years is given on the table below, from which it appears that out of 927 disputes, 443 occurred in the Province of Ontario and 206 in the Province of Quebec.

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, IX. A. R. No. 21.

TABLE SHOWING TRADE DISPUTES IN CANADA ACCORDING TO PROVINCES  
FOR THE YEARS 1901, 1902, 1903, 1904, 1905, 1906, 1907 AND 1908.

Locality.	Number of Disputes.								
	1901	1902	1903	1904	1905	1906	1907	1908	Total
Nova Scotia.....	5	12	7	7	7	11	12	3	64
Prince Edward Island.....		2							2
New Brunswick.....	3	7	7	2	5	8	8	6	46
Quebec.....	29	20	33	31	21	24	29	19	206
Ontario.....	53	65	83	52	32	61	71	26	443
Manitoba.....	3	8	1	4	9	9	6	1	41
Saskatchewan.....							1	1	2
Alberta.....		1	5	1	2	13	6	3	31
British Columbia.....	10	8	24	4	10	12	11	6	85
More than 1 province affected.....	1*			2†	1††		2§	1	7
Total.....	104	123	160	103	87	138	146	66	927

\* Dispute affected all provinces in Dominion with exception of Prince Edward Island.  
† First dispute affected Ontario, Manitoba, Saskatchewan and Alberta; second affected same provinces with the addition of British Columbia.  
†† Dispute took place in Quebec and Ontario.  
§ One dispute took place in Quebec, Ontario and Manitoba, and the other in Alberta and British Columbia.  
§§ Dispute affected all provinces except Prince Edward Island and Nova Scotia.



## LOSS OF TIME IN WORKING DAYS.

The following table shows the number of working days estimated to have been lost by employees through trade disputes each month during 1908:—

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, IX. A. R. No. 22.

TABLE SHOWING LOSS OF TIME IN WORKING DAYS TO EMPLOYEES THROUGH TRADE DISPUTES IN CANADA BY MONTHS DURING 1909.

Month.	Loss in Working Days.
January .....	47,670
February .....	2,319
March .....	13,273
April .....	7,343
May .....	114,900
June .....	72,293
July .....	19,390
August .....	195,235
September .....	210,435
October .....	37,880
November .....	5,174
December .....	531
Total .....	718,443

Chart No. 3. following page 160, shows the variation from month to month in the number of working days lost in each of the years from 1901 to 1908, inclusive.

The following table shows the approximate loss of time to employees through trade disputes during the year classified according to the various trades and industries affected:—

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, IX. A. R. No. 23.

TABLE SHOWING APPROXIMATE LOSS OF TIME TO EMPLOYEES THROUGH TRADE DISPUTES IN CANADA DURING THE YEAR 1908, CLASSIFIED ACCORDING TO TRADES AFFECTED.

Industry or Trade	Approximate loss of time in working days.
Lumbering .....	14,065
Mining .....	41,937
Building trades .....	20,960
Metal and shipbuilding trades .....	51,887
Woodworking trades .....	1,326
Printing and bookbinding .....	360
Textile trades .....	134,462
Clothing trades .....	17,058
Food and tobacco preparation .....	1,328
General transport .....	425,572
Miscellaneous trades .....	5,648
Unskilled labour .....	3,840
Total .....	718,443



CAUSES OF TRADE DISPUTES.

The principal causes of the strikes and lockouts which took place in 1908 are set forth in the following table arranged according to the months in which they began:—

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES. IX. A. R. No. 24.

TABLE SHOWING BY MONTHS THE CAUSES OF TRADE DISPUTES WHICH BEGAN IN CANADA DURING 1908.

Causes.	Number of Disputes.												
	Jan.	Feb.	Mar.	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total
For increase in wages .....		2	1	5	3	3	1	3	1	..	2	.....	21
Against reduction in wages. ....	5	1	1	1	4	...	1	1	.....	..	.....	.....	14
For increase in hours.....					1	1	.....	.....	.....	1	.....	.....	3
For increase in wages and decrease in hours.				1	.....	.....	.....	.....	.....	.....	.....	.....	1
For increase in wages and against increase in hours.....				1	.....	.....	.....	.....	.....	.....	.....	.....	1
For decrease in hours and other changes ....						1	.....	.....	.....	.....	.....	.....	1
Against increase in hours.....		1	.....	.....	.....	.....	.....	1	.....	.....	.....	.....	2
Against employment of non-unionists.....	1	.....	.....	.....	1	.....	.....	.....	.....	.....	.....	1	3
Against employment of persons other than non-unionists ....			1	.....	.....	.....	.....	.....	.....	.....	.....	.....	1
Against discharge of employees.....		1	1	.....	3	.....	1	.....	.....	.....	.....	.....	6
Dispute over pay day .....												1	1
Against conditions of employment.....						1	.....	1	.....	.....	.....	1	3
Against reduction in wages and increase in hours ....			1	.....	.....	.....	.....	.....	.....	.....	.....	.....	1
Against reduction in wages and employment of non-unionists....					1	.....	.....	.....	.....	.....	.....	.....	1
Against delay in payment of wages ....									1	.....	.....	.....	1
Sympathetic.....										1	.....	.....	1
Unclassified .....	1	1	.....	1	1	.....	.....	.....	.....	.....	.....	1	5
Total.....	7	6	5	9	14	6	3	6	2	2	2	4	66

The following table shows the causes of trade disputes which began in each year from 1901 to 1908:—

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, IX. A. R. No. 25.

TABLE SHOWING CAUSES OF TRADE DISPUTES IN CANADA WHICH BEGAN DURING 1901, 1902, 1903, 1904, 1905, 1906, 1907 AND 1908, RESPECTIVELY.

Causes.	Number of Disputes.								
	1901	1902	1903	1904	1905	1906	1907	1908	Total.
For increase in wages.....	48	54	60	36	30	55	65	21	369
Against reduction in wages.....	10	7	7	7	8	3	3	14	59
For decrease in hours.....	1	7	8	3	3	7	11	3	43
For increase in wages and decrease in hours.....	5	14	18	8	4	7	8	1	65
Against employment of particular persons.	13	8	13	16	9	13	20	4	96
Against conditions of employment.....		5	5	4	8	3	5	3	33
For recognition of union.....		5	5	4	1	5	3	.....	23
Sympathetic .....		9	10	3	1	2	2	1	28
Unclassified.....	27	14	34	22	23	43	29	19	211
Total.....	104	123	160	103	87	138	146	66	927



## METHODS OF SETTLEMENT.

The following table illustrates the methods by which trade disputes were settled during 1908, arranged according to the month in which they were terminated:—

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, IX. A. R. No. 26.

TABLE SHOWING METHODS OF SETTLEMENT OF TRADE DISPUTES IN  
CANADA DURING 1908.

Method.	Number of Disputes.												
	Jan.	Feb.	March	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.	Total.
Arbitration.....						1					1		2
Conciliation.....	1	1			1					1			4
Negotiations between parties concerned.....	1	1	2		2	2	1	1				3	13
Replacement of strikers.....	1	1	1	5	4	3		1	2				18
Work resumed on employer's terms (without negotiations).....	2	2	2	1	2		5	4	1	2	2		23
Demands of strikers granted (without negotiations).....		1		3			1						5
Work resumed pending government inquiry.....						1							1
Indefinite, unsettled or not reported.....	1						1					1	3
Total.....	6	6	5	9	9	7	8	6	3	3	3	4	69

A comparison of the methods of settlement of trade disputes during the years from 1901 to 1908 is given below:

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, IX. A. R. No. 27.

TABLE SHOWING METHODS OF TRADE DISPUTES IN CANADA DURING 1901,  
1902, 1903, 1904, 1905, 1906, 1907 AND 1908.

Method.	Number of Disputes.								
	1901	1902	1903	1904	1905	1906	1907	1908	Total.
Arbitration.....	5	6	6	4		3	4	2	30
Conciliation.....	6	5	14	5	3	4	7	4	48
Negotiations between parties concerned ..	55	73	77	37	41	67	66	13	429
Replacement of men .....	13	12	15	10	24	18	26	18	136
Work resumed on employer's terms (without negotiations).....	13	20	26	25	12	28	26	23	173
Demands of strikers granted (without negotiations).....			19	7	5	3	2	5	41
Work resumed (employer not involved)...					1	4	5		10
Employment found elsewhere by strikers.						3	3		6
Unsettled at end of year.....	12	5	12	13		9	12	1	64
Not reported .....		2	1	2	1			3	9
Total.....	104	123	170	103	87	139	151	69	946

Most of the disputes in the above table marked unsettled were terminated in the year following the one in which they are placed.



RESULTS OF TRADE DISPUTES.

The following table shows the results of trade disputes which were in existence during 1908, arranged according to the months in which they were terminated :—

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, IX. A. R. No. 28.

TABLE SHOWING RESULTS OF TRADE DISPUTES IN CANADA DURING 1908.

Result.	Number of Disputes.												
	Jan.	Feb.	Mar.	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total
In favour of employers...	3	3	4	5	6	5	5	5	3	2	2	....	43
In favour of employees.....		2	....	4	1	2	3	1	....	....	....	....	13
Settled by compromise.....	2	1	1	....	2	....	....	....	....	1	1	2	10
Indefinite, unsettled or not reported.....	1	....	....	....	....	....	....	....	....	....	....	2	3
Total .....	6	6	5	9	9	7	8	6	3	3	3	4	69

The results of trade disputes which have taken place in Canada during the past eight years are shown in the following table:—

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, IX. A. R. No. 29.

TABLE SHOWING RESULTS OF TRADE DISPUTES IN CANADA DURING 1901, 1902, 1903, 1904, 1905, 1906, 1907 AND 1908.

Results.	Number of Disputes.								
	1901	1902	1903	1904	1905	1906	1907	1908	Total.
In favour of employers.....	40	35	46	34	37	45	57	43	337
In favour of employees.....	39	46	45	24	24	41	33	13	265
Settled by compromise.....	22	33	46	28	15	23	39	10	216
Employees partially successful.....	....	....	....	6	....	6	3	....	15
No change (employers not concerned).....	....	....	....	....	1	3	3	....	7
Indefinite (unsettled or terms unknown)...	....	4	10	9	10	22	16	3	74
Total.....	101	118	147	101	87	140	151	69	914



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The following table contains an analysis of the principal causes of the trades disputes which began during 1908, classified according to their results:—

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, IX. A. R. No. 30.

TABLE SHOWING CAUSES AND RESULTS OF TRADE DISPUTES IN CANADA DURING THE CALENDAR YEAR 1908.

Causes.	Results.				Total.
	In favour of employers.	In favour of employees.	Settled by compromise.	Indefinite, unsettled or terms not reported.	
For increase in wages .....	13	5	4		22
Against reduction in wages .....	8	3	2	1	14
For decrease in hours .....	1		1	1	3
For increase in wages and decrease in hours .....		1			1
For increase in wages and against increase in hours .....	1				1
For decrease in hours and other changes .....		1			1
Against increase in hours .....	2				2
Against employment of non-unionists .....	2			1	3
Against employment of persons other than non-unionists .....	1				1
Against discharge of employees .....	6				6
Dispute over pay day .....			1		1
Against conditions of employment .....	3		1		4
For increase in wages, shorter hours and closed shops .....		1			1
Against reduction in wages and increase in hours .....			1		1
Against reduction in wages and employment of non-unionists .....	1				1
Against delay in payment of wages .....	1				1
Sympathetic .....	1				1
Unclassified .....	3	2			5
	43	13	10	3	69



### XIII.—INDUSTRIAL ACCIDENTS IN CANADA DURING 1908, WITH COMPARATIVE STATISTICS FOR THE YEARS 1904, 1905, 1906 AND 1907.

The statistics relating to industrial accidents collected by the Department during the calendar year 1908, show a considerable decrease in the number of accidents recorded as compared with the preceding year. In all, 1,272 fatal and 2,277 non-fatal accidents were reported in 1908, compared with 1,353 fatal and 2,752 non-fatal accidents in 1907. The decrease is doubtless to be attributed to the falling off in general industrial activity which followed the financial stringency of the autumn of 1908.

As in previous years, the summer months, during which industrial activity is at its height in Canada, showed a proportionately larger return of accidents.

The branch of industry involving the largest number of fatalities to employees during 1908 was the railway service, in which no fewer than 326 men lost their lives. Agriculture again ranked second with respect to the number of fatalities, the total number of killed being 223. In the mining industry, 148 were killed, and in the lumbering industry, 113. The next highest total was 84, under the heading of navigation.

Of the non-fatal accidents, the largest number occurred in the metal trades, viz., 364, the railway service standing second with 316, and agriculture third with 291.

Of both fatal and non-fatal accidents, some 974, or over 27% of the total of 3,549 recorded for the year, occurred among workmen employed in transportation. In the preceding year fully one-third of the accidents recorded were among transportation employees.

Comparing the record for 1909 and 1908 in the several groups, it will be seen that increases in the number of fatal accidents occurred in the agricultural and fishing industries, in the building and leather trades, and among civic employees and unskilled labourers. In all the other groups decreases are shown, the net decrease for the year being 81. In the number of non-fatal accidents, an increase is shown in the building and food and tobacco preparation trades alone, all the rest recording decreases which, in the net aggregate, amounted to 475, compared with the preceding year. The increase recorded in the building trades is the more remarkable in that the extent of building operations in progress in Canada was considerably less in 1908 than in 1907. It may be pointed out, however, that although building was much more active in 1907 than in 1906 the returns of accidents were lower. The returns for 1908 are still below those for 1906.

Special importance is to be attached in the tables given below to those which set forth the causes of the accidents in the various trades. It will be seen from these that runaways were responsible for the largest number of fatal accidents in the agricultural industry, while this pre-eminence was



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attained by drownings among fishermen, lumbermen and navigation employees, explosions among miners, falls in the building trades, electrical shocks in the metal trades, elevators in the printing and clothing trades, being run over by cars among railway employees, premature blasts among railway construction employees, and falls, flying material and blasts among unskilled labour. Of the non-fatal accidents, the leading causes were: live stock in the agricultural industry, exposure in the fishing industry, machinery and falling material among lumbermen and saw mill employees, explosions and falling stone or earth among miners, falls from scaffolding and buildings among builders, machinery or falling materials in the metal, woodworking, printing, clothing, textile, leather and food and tobacco preparation trades. In the railway service the largest number of non-fatal accidents, viz., 51, occurred through collisions, while under the heading of navigation and general transport the largest number occurred through falls. Among civic employees, 4 were killed and 22 were injured at fires. Eleven unskilled labourers were killed and 59 injured by falling stones, bricks, etc.

The work of collecting and publishing statistics relating to industrial accidents was begun by the department during the year 1904, and the tables which follow are based on the material collected up to the end of the past calendar year. The statistics are gathered from reports appearing in the press of Canada, carefully verified, and from returns received from correspondents of the *Labour Gazette*, from factories and mines inspectors in the several provinces, from the Board of Railway Commissioners of Canada, the Municipal and Railway Board of Ontario, and various individual sources. The only accidents recorded are those incurred by the victims in the course of their employment and causing loss of life or serious impairment in industrial efficiency. Every effort has been made to make the returns as full and reliable as possible, though it is not claimed that they are complete. It is believed, however, that they are essentially accurate, and that they may be accepted as reasonably setting forth the leading elements of danger to employees in the respective occupations.



A series of charts illustrating the fluctuations by months in the number of industrial fatalities in the trades in which the death rate reaches above twenty during the year is added to the statistical tables.

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, IX. A. R. No. 31.

TABLE OF FATAL INDUSTRIAL ACCIDENTS DURING 1908.

Trade or Industry.	Number of Accidents according to Months.												Total.
	Jan.	Feb.	Mar.	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	
Agriculture.....	13	11	18	22	12	28	16	33	17	21	14	18	223
Fishing and hunting.....	5	2	4	5	5	7	.....	.....	6	1	2	.....	37
Lumbering.....	9	6	7	11	29	16	8	9	2	2	8	6	113
Mining.....	5	19	17	9	16	13	10	10	10	12	9	18	148
Building trades.....	1	.....	2	5	1	8	4	9	4	5	2	5	46
Metal trades.....	3	4	4	2	7	11	9	10	5	2	3	3	63
Woodworking trades.....	1	1	2	1	1	.....	1	.....	.....	.....	.....	.....	7
Printing trades.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Clothing trades.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	.....	1
Textile trades.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	2
Food and tobacco preparation.....	1	1	1	4	3	1	.....	.....	2	.....	.....	1	14
Leather trades.....	.....	.....	.....	1	1	.....	.....	.....	.....	.....	1	.....	3
Railway service.....	30	24	26	32	22	28	22	12	24	27	56	23	326
Navigation.....	7	2	3	2	9	4	10	23	7	5	9	3	84
General transport.....	5	4	1	2	6	5	9	3	7	.....	10	2	54
Civic employees.....	3	.....	1	5	1	5	.....	4	.....	.....	.....	.....	19
Miscellaneous trades.....	3	11	1	2	9	6	1	3	9	4	6	6	61
Unskilled labour.....	10	6	5	7	5	4	10	1	10	4	4	5	71
Total.....	97	91	92	110	127	136	100	117	103	83	125	91	1,272

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, IX. A. R. No. 32.

TABLE OF NON-FATAL INDUSTRIAL ACCIDENTS IN CANADA DURING 1908.

Trade or Industry.	Number of accidents according to months.												Total.
	Jan.	Feb.	Mar.	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	
Agriculture.....	16	15	20	11	27	25	45	35	35	18	22	22	291
Fishing, hunting.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1
Lumbering.....	13	17	4	5	9	14	5	13	3	5	11	16	115
Mining.....	18	19	15	11	8	24	14	14	16	15	16	17	187
Building trades.....	7	1	6	12	16	41	34	21	19	22	24	16	219
Metal trades.....	30	37	34	27	31	39	15	31	30	24	31	35	364
Woodworking trades.....	11	6	19	11	20	11	8	4	5	5	7	9	116
Printing trades.....	1	1	1	.....	.....	2	1	2	1	1	.....	2	12
Clothing trades.....	1	4	3	2	1	1	1	1	.....	.....	1	1	16
Textile trades.....	9	2	6	.....	5	6	2	.....	.....	2	.....	5	37
Food & tobacco preparation.....	4	5	5	5	8	7	3	6	3	7	3	7	63
Leather trades.....	.....	.....	2	1	.....	.....	.....	.....	2	.....	.....	.....	5
Railway service.....	26	28	23	45	31	32	22	22	12	18	36	21	316
Navigation.....	1	1	6	9	8	12	4	8	2	4	5	2	62
General transport.....	10	11	7	11	6	19	13	10	10	13	12	10	132
Civic employees.....	8	7	2	5	3	4	6	3	5	3	5	4	55
Miscellaneous trades.....	9	14	13	18	20	9	9	27	6	11	9	11	156
Unskilled labour.....	9	8	12	11	8	17	9	12	5	14	16	9	130
Total.....	173	177	178	184	201	263	191	209	154	162	198	187	2277



DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, IX. A. R. No. 33.

TABLE SHOWING CAUSES OF ACCIDENTS DURING THE YEARS 1904, 1905,  
1906, 1907 AND 1908.

AGRICULTURE.

Causes of Accidents.	Killed.					Injured.				
	1904	1905	1906	1907	1908	1904	1905	1906	1907	1908
Struck and run over by trains.....	26	19	23	33	24	7	10	7	13	8
Injured by live stock.....	18	18	29	19	29	19	41	45	44	53
Falling from vehicles.....	14	27	11			24	54	9		
Run over by vehicles.....	3	21	4	10	15	6	23	2	6	11
Injured by machines and tools.....	8	14	16	14	17	18	43	78	61	40
Falling from haylofts, barns, stacks, etc	5	13	27	24	21	10	22	62	73	51
Injured when raising barns.....	4	2				7	5			
Struck by lightning.....	7	3	18	7	13			2	3	6
Exposure and cold.....	4		6	7	7		2	2	4	6
Struck by falling trees.....	1	8	7	25		3	11	18	21	
Injured when sawing and chopping wood.....	1	1	1			10	10	1		
Injured by cave-in of pits, etc.....	2	5			22	1	7			40
Injured when blasting.....	1		5	8	9	3	3	10	18	13
Blood poisoning.....	9		3	2	1	10	4			
Burned to death in prairie fire.....			1	1	6					2
Drowned.....			8	13	15					
Injured in runaways.....				28	36				28	39
Struck by wagon pole.....				1						
Explosion of traction engine.....				3						
Smothered in snow slide.....				7						
Injured by other falling material.....				2					15	
Injured by tools.....				2	1				6	17
Stung by bees.....				1					1	
Sunstroke.....									1	
Accidentally shot.....				1					1	
Struck by flying objects.....					5					2
Collisions.....					2					3
Unclassified.....				1						
Total.....	103	132	159	209	223	121	241	236	295	291

FISHING AND HUNTING.

Drowned.....	16	13	15	16	33					
Caught in bear trap.....							1			
Attacked by moose.....						1				
Injured by falls.....								2		
Contact with ice hook.....								1		
Injured by exposure, cold, etc.....				1	4				4	1
Total.....	16	13	15	17	37	1	1	3	4	1



TABLE SHOWING CAUSES OF ACCIDENTS DURING THE YEARS 1904, 1905, 1906, 1907 AND 1908—Continued

LUMBERING AND SAW-MILLING.

Causes of Accidents.	Killed.					Injured.				
	1904	1905	1906	1907	1	1904		1906	1907	1908
Struck by falling trees.....	17	14	25	20	26	3	15	15	9	11
Struck by logs.....	4	4	9	11	.....	6	13	7	10	.....
Injured by dynamite explosion.....	1	2	5	2	1	.....	.....	6	5	6
Drowned.....	22	13	30	44	39	.....	.....	.....	.....	.....
Frozen.....	.....	2	1	.....	.....	2	.....	2	1	.....
Falling of logs.....	1	.....	3	4	.....	.....	2	9	8	.....
Run over by railway cars.....	3	2	3	4	1	2	.....	3	.....	.....
Struck by wood flying from saws, etc.	5	8	7	12	2	4	17	9	2	3
Struck by falling lumber.....	.....	2	2	.....	.....	5	8	8	.....	.....
Struck by axes when chopping trees:	.....	.....	.....	.....	.....	11	15	9	4	.....
Injured by machines and engines.....	3	8	26	18	21	36	33	88	79	48
Injured by boiler explosions.....	6	10	.....	.....	.....	2	8	.....	.....	.....
Injured by saws.....	4	6	.....	.....	1	34	15	.....	1	8
Injured by bursting of an emery wheel	1	1	5	.....	.....	.....	20	.....	.....	.....
Crushed between cars.....	1	.....	.....	1	.....	1	1	.....	.....	.....
Injured by bursting of refuse machine.	.....	1	.....	.....	.....	.....	.....	.....	.....	.....
Overwhelmed in mud slides, etc.....	1	2	.....	1	1	14	8	.....	.....	.....
Gunshot wound.....	.....	.....	2	1	1	.....	.....	.....	.....	.....
Falls, general.....	.....	.....	.....	2	3	.....	.....	.....	.....	6
Run over by dump cart.....	.....	.....	.....	1	.....	.....	.....	.....	.....	.....
Killed by a bear.....	.....	.....	.....	1	.....	.....	.....	.....	.....	.....
Falling material.....	.....	.....	.....	7	12	.....	.....	.....	18	29
Struck by lightning.....	.....	.....	.....	.....	.....	.....	.....	.....	1	.....
Unclassified.....	.....	.....	1	.....	.....	.....	.....	.....	.....	.....
Runaways.....	.....	.....	.....	.....	2	.....	.....	.....	.....	1
Being run over.....	.....	.....	.....	.....	4	.....	.....	.....	.....	.....
Exposure.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	2
Live stock.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1
Total.....	69	75	119	129	113	120	155	156	138	115

MINING.

Explosions in mines.....	33	15	20	53	48	11	39	42	67	62
Blasting.....	3	1	.....	.....	.....	13	5	.....	.....	.....
Falling down mine shafts and chutes.	8	5	8	3	22	3	8	9	1	13
Struck by cars, trips, etc.....	8	2	13	25	24	6	7	14	26	31
Struck by falling stone and earth, etc.	14	19	16	10	32	18	26	9	5	59
Struck by falling coal .....	11	16	32	11	.....	12	18	57	20	.....
Crushed between cars, car and mine wall, box and pit props, etc.....	1	3	7	4	.....	10	10	16	17	.....
Machinery, belting, etc.....	2	2	7	8	4	.....	12	14	15	5
Falling from scaffolds and trestles....	3	2	.....	.....	.....	1	.....	.....	.....	.....
Falling in various ways not specified.	5	1	.....	11	.....	6	.....	.....	6	.....
Run over by cars.....	1	2	4	3	4	2	4	1	2	12
Struck by falling wood, etc.....	.....	2	.....	29	.....	2	2	1	60	.....
Crushed by cave-in.....	5	.....	.....	2	.....	.....	.....	.....	.....	.....
Suffocated by gas, etc.....	6	.....	.....	2	7	.....	.....	.....	.....	.....
Drowned.....	.....	.....	2	16	6	.....	.....	.....	2	.....
Struck by snow slides.....	.....	.....	6	.....	.....	.....	.....	3	.....	.....
Kicked by a mule.....	.....	.....	.....	.....	.....	.....	.....	1	2	.....
Injured by explosives.....	.....	.....	1	.....	.....	.....	.....	.....	1	.....
Injured by electric shock.....	.....	.....	3	1	1	.....	.....	.....	.....	.....
Injured by exposure.....	.....	.....	.....	2	.....	.....	.....	.....	2	.....
Caught in a "bump".....	.....	.....	.....	1	.....	.....	.....	.....	.....	.....
Unclassified.....	13	.....	.....	.....	.....	33	4	.....	.....	.....
Injured by live stock.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	3
Injured by molten metal.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1
Injured by passing objects.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1
Total.....	103	70	119	181	148	117	135	167	226	187



TABLE SHOWING CAUSES OF ACCIDENTS DURING THE YEARS 1904, 1905, 1906, 1907 AND 1908—Continued

BUILDING TRADES.

Causes of Accidents.	Killed.					Injured.				
	1904	1905	1906	1907	1908	1904	1905	1906	1907	1908
Falling from buildings.....	13	9	4	5	13	23	48	30	17	39
Falling from scaffoldings, etc.....	5	20	8	2	10	38	78	45	26	98
Falling through a floor.....	2						1			
Collapse of building and wall.....	2					10	9			
Falling from a ladder.....						14	5	7		
Falling in various ways not specified.	1	3	25	18	7	12	1	109	102	21
Railway accidents.....	4	4	8	2	1	2		1		1
Struck by falling stones and bricks...	3	3	1	1		6	21	3		
Struck by falling timber.....	1		1			13	15	13	3	
Struck by derricks.....	2	1	1	1	1	1	3	5	3	
Struck by falling metal.....						2	2			
Struck by falling window sash.....		1				2				
Struck by other falling material.....	2		2	1	3	2	3	20	26	28
Injured by elevators and hoists.....	2			1	1	2	1	1	2	4
Injured by electric shock.....	3	2			5	1		1		
Injured by tools.....		1				7	11	3	4	
Drowned.....	2	1	6		3		2			
Injured by machinery.....					1			17	20	5
Burnt to death.....			1							
Injured by explosion.....			3					2	7	16
Asphyxiated by gas.....			2					1		2
Sunstroke or struck by lightning.....			2	1				4		1
Injured by wood projected from saw.....									1	2
Died from lockjaw.....				1						
Unclassified.....	1	1				3	1			
Blood poisoning.....					1					1
Boiling tar.....										1
Total.....	43	46	59	33	46	138	201	262	211	219



TABLE SHOWING CAUSES OF ACCIDENTS DURING THE YEARS 1904, 1905, 1906, 1907 AND 1908—Continued

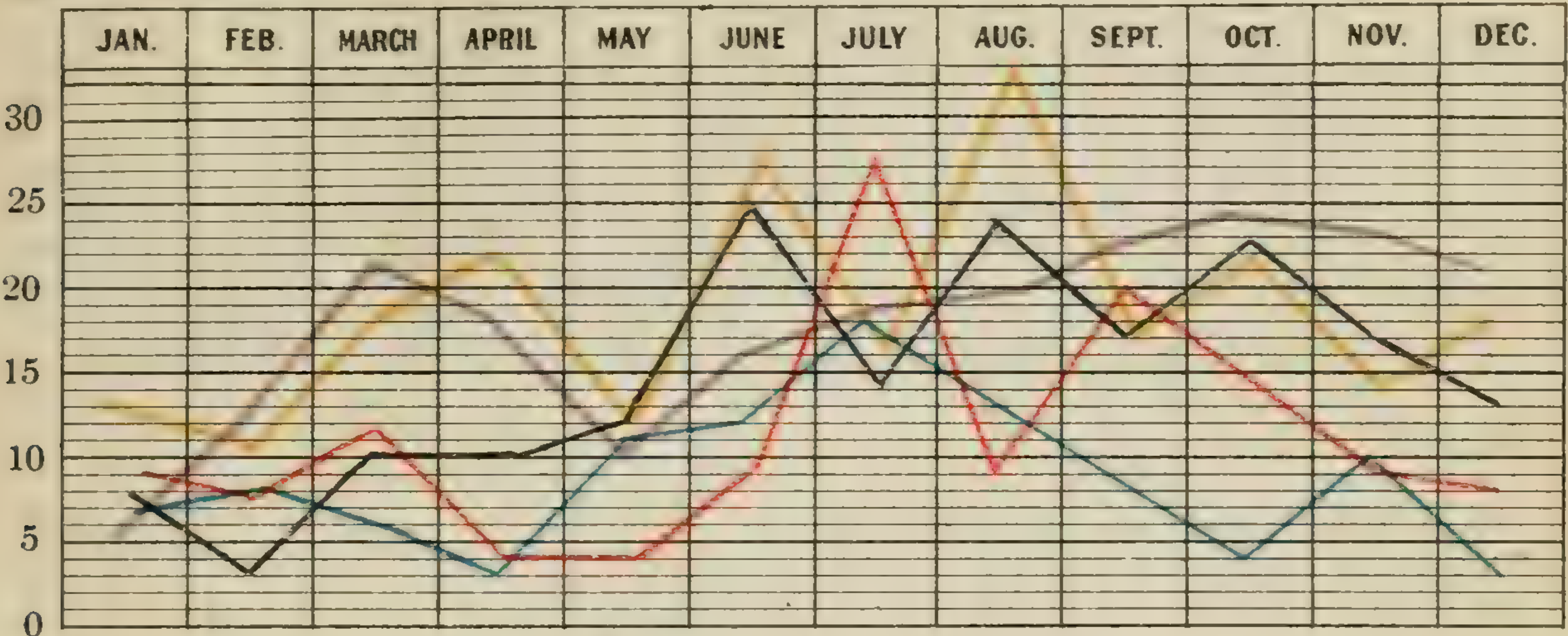
METAL TRADES.

Causes of Accidents.	KILLED.					INJURED.				
	1904	1905	1906	1907	1908	1904	1905	1906	1907	1908
Injured by machinery, belting &c.....	12	7	8	15	7	108	147	251	201	131
Injured by tools .....	3	1				15	7	7	6	10
Struck by falling material.....	9	5	7	21	6	92	63	94	129	82
Injured by hot or molten metal.....			1	1		55	40	52	31	
Injured by electric shock.....	5	11	14	16		11	13	8	10	34
Injured by elevators and hoists.....	4	1	1	6	3	14	6	6	15	4
Falling from scaffold, &c.....	9	5	7			9	22	25		
Collapse of scaffolding .....	2		1			11	2	15		
Falling from buildings .....	4		1	14		6	3		102	
Falling from bridges .....	4	3				2	5	1		
Falling from poles .....	3	1				11	5			
Falling in various ways not specified..	4	2	2		17	22	14	40		46
Injured by derricks and cranes.....	1	5	2	1		4	9	1	2	1
Bursting of wheels.....	2	2				3	5	4		
Injured by boiler explosions.....	2	3	2		4	14	5	7		3
Struck by falling wood, poles, &c.....	5	1	4			1	10	33	16	
Injured by saws .....						2				
Injured by shears.....						5	4			
Injured by drop hammers.....						7	3	1		
Injured by trip hammers.....						6	7		1	
Overcome by gas .....	1	1	1			2			1	
Scalded by water, steam, &c.....		1	5			9	4	3		
Injured by electricity.....					19		1	1		18
Injured by explosions of gas, powder, &c .....				1	1	4	6	4	44	15
Crushed by presses .....						24	26	3		
Crushed by cars .....		3	1	5	3	2	5		7	13
Struck by wood flying from a saw .....						1	2			
Struck by lever.....	1						1			
Struck by hook.....						1	1			
Crushed between girders.....						2	1			
Crushed in other ways .....			1			4	1	3		
Injured by chains.....						2	1			
Cut by a die.....						1	2			
Run over by a cart.....						1	1			
Drowned.....	2	2	9	3	3					1
Injured when grinding.....							1			
Injured by lathes.....						3				2
Injured by live stock.....				2				3	2	
Sunstroke while repairing boilers.....			1							
Gunshot wounds.....									1	
Dropped dead while shoeing horse.....				1						
Railway accident.....				5					2	3
Collapse of bridge at Quebec.....				63						
Unclassified .....	1	2				35	1			
Foot pierced by nail .....										1
Total.....	74	56	68	154	63	490	424	562	570	364



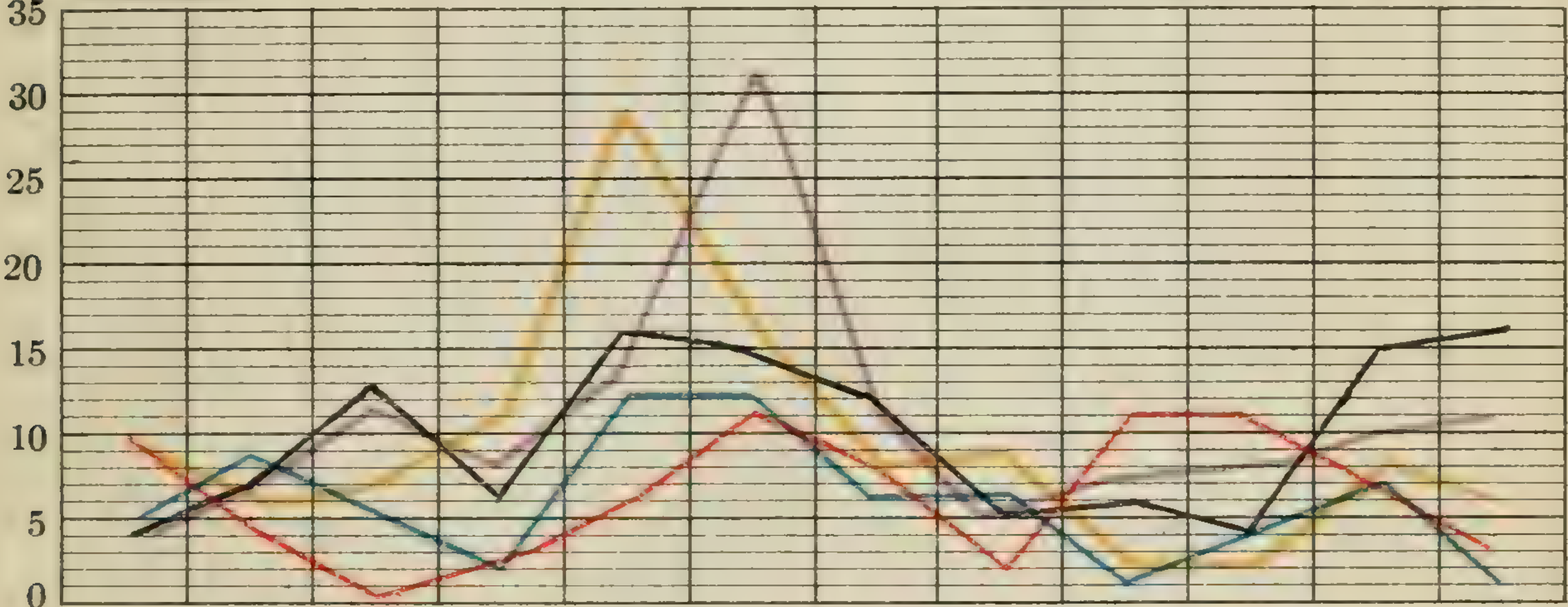
DIAGRAMS SHOWING NUMBER OF FATAL ACCIDENTS BY MONTHS IN VARIOUS  
TRADES AND INDUSTRIES THROUGHOUT THE PERIOD 1904 TO 1906.

AGRICULTURE



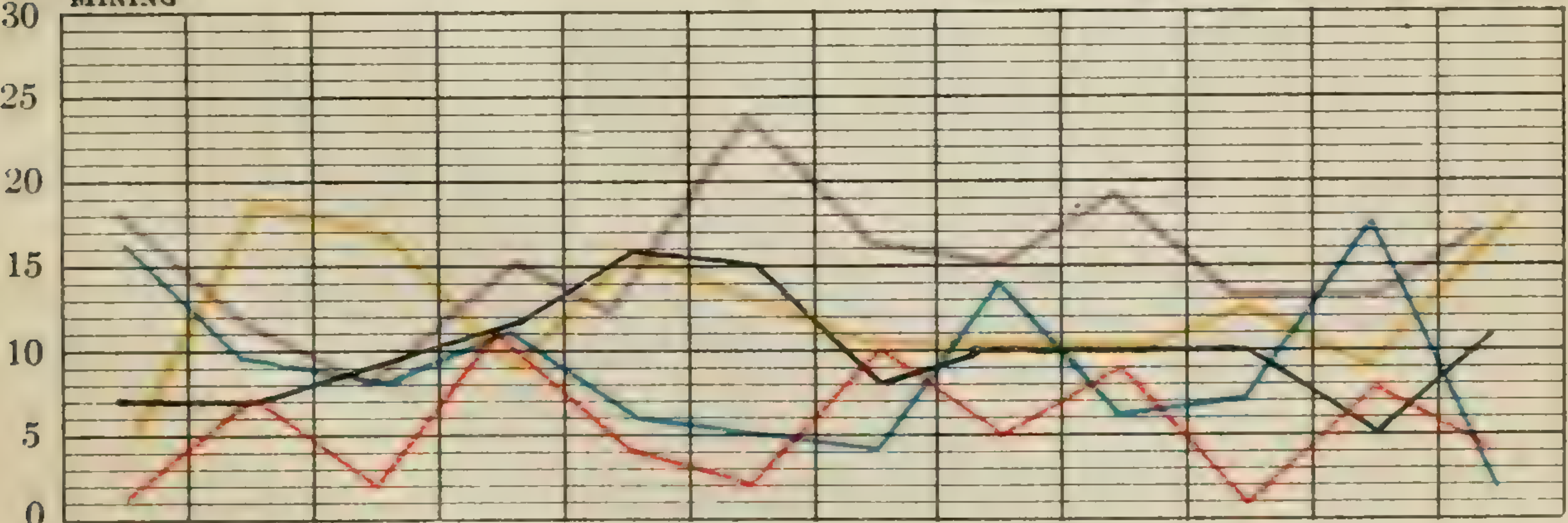
LUMBERING

STATISTICAL CHART, VIII, A. R. No. 5



MINING

STATISTICAL CHART, VIII, A. R. No. 6



- 1904 — blue line
- 1905 — red line
- 1906 — black line
- 1907 — purple line
- 1908 — yellow line

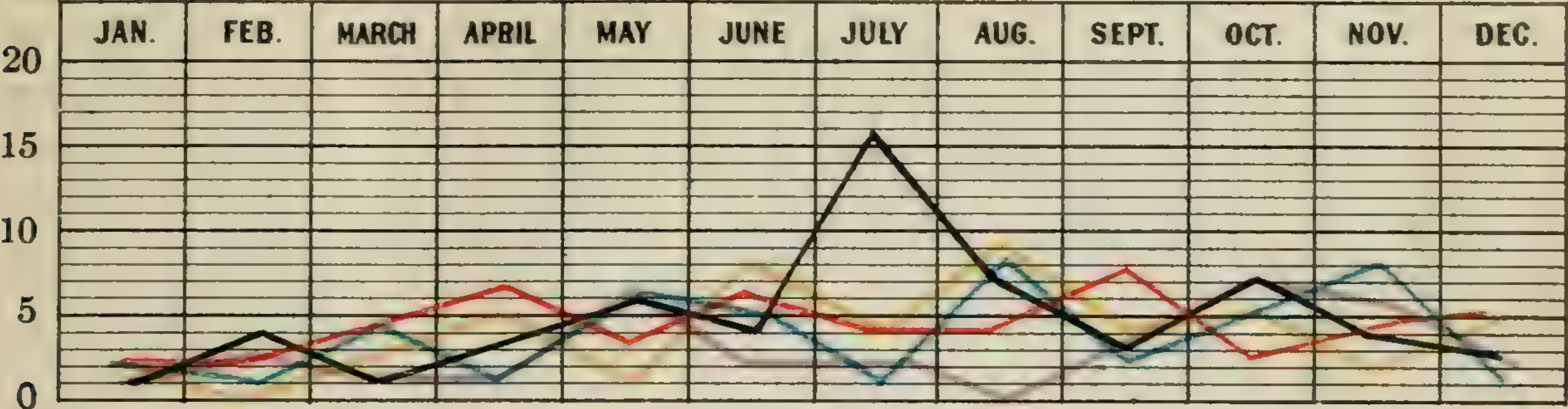






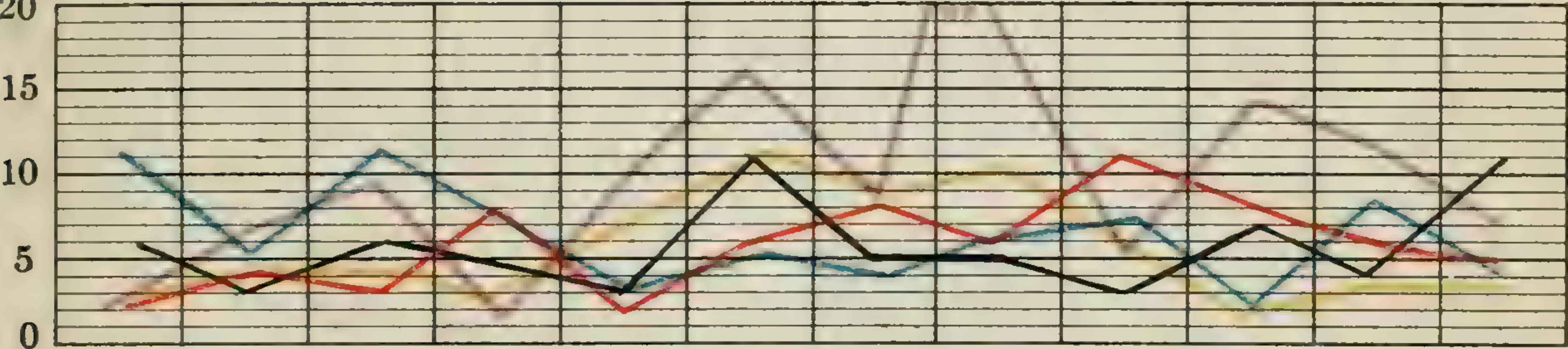
DIAGRAMS SHOWING NUMBER OF FATAL ACCIDENTS BY MONTHS IN VARIOUS  
TRADES AND INDUSTRIES THROUGHOUT THE PERIOD 1904 TO 1906.

BUILDING TRADES



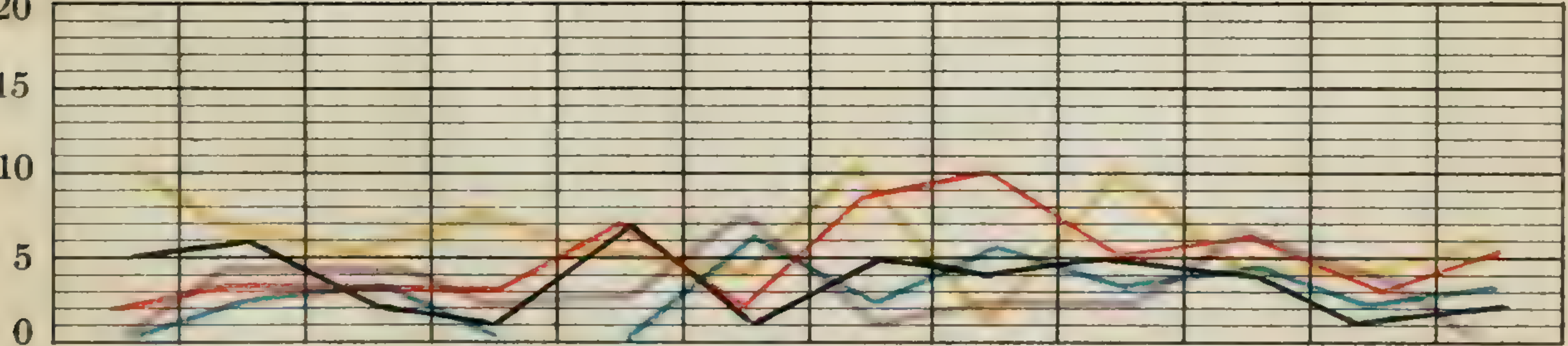
METAL TRADES

STATISTICAL CHART, VIII, A. R. No. 8



UNSKILLED LABOUR

STATISTICAL CHART, VIII, A. R. No. 9



- 1904 ———
- 1905 ———
- 1906 ———
- 1907 ———
- 1908 ———

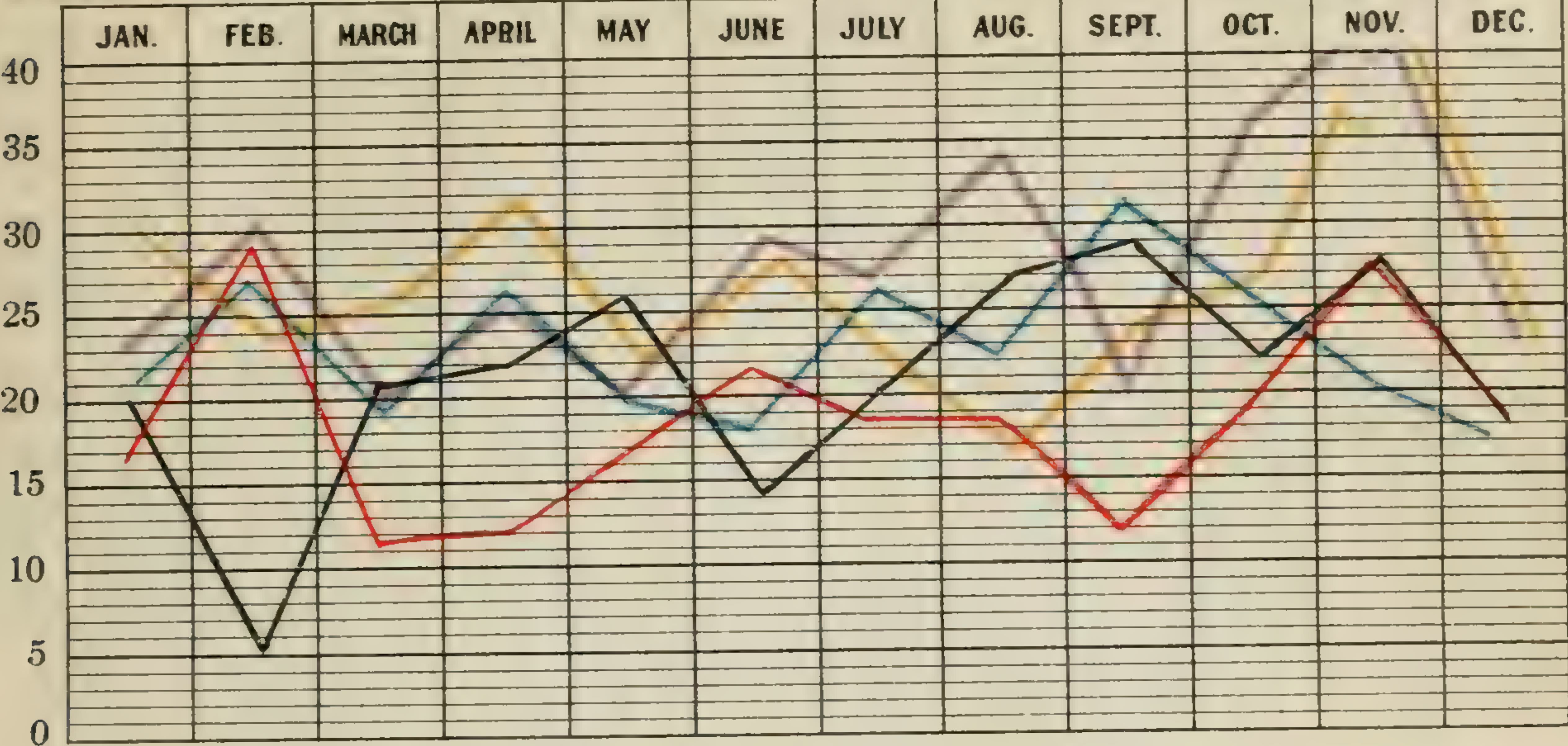






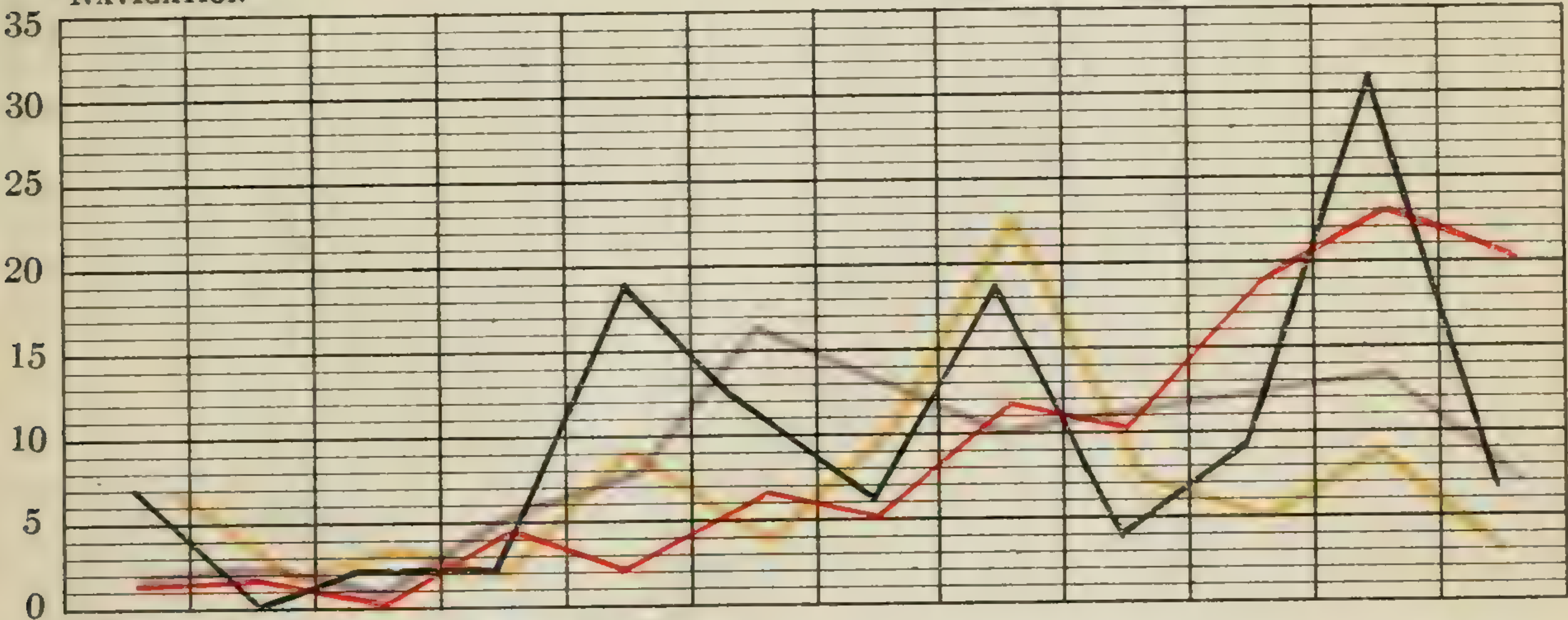
DIAGRAMS SHOWING NUMBER OF FATAL ACCIDENTS BY MONTHS IN VARIOUS  
TRADES AND INDUSTRIES THROUGHOUT THE PERIOD 1904 TO 1906.

RAILWAY SERVICE.



NAVIGATION\*

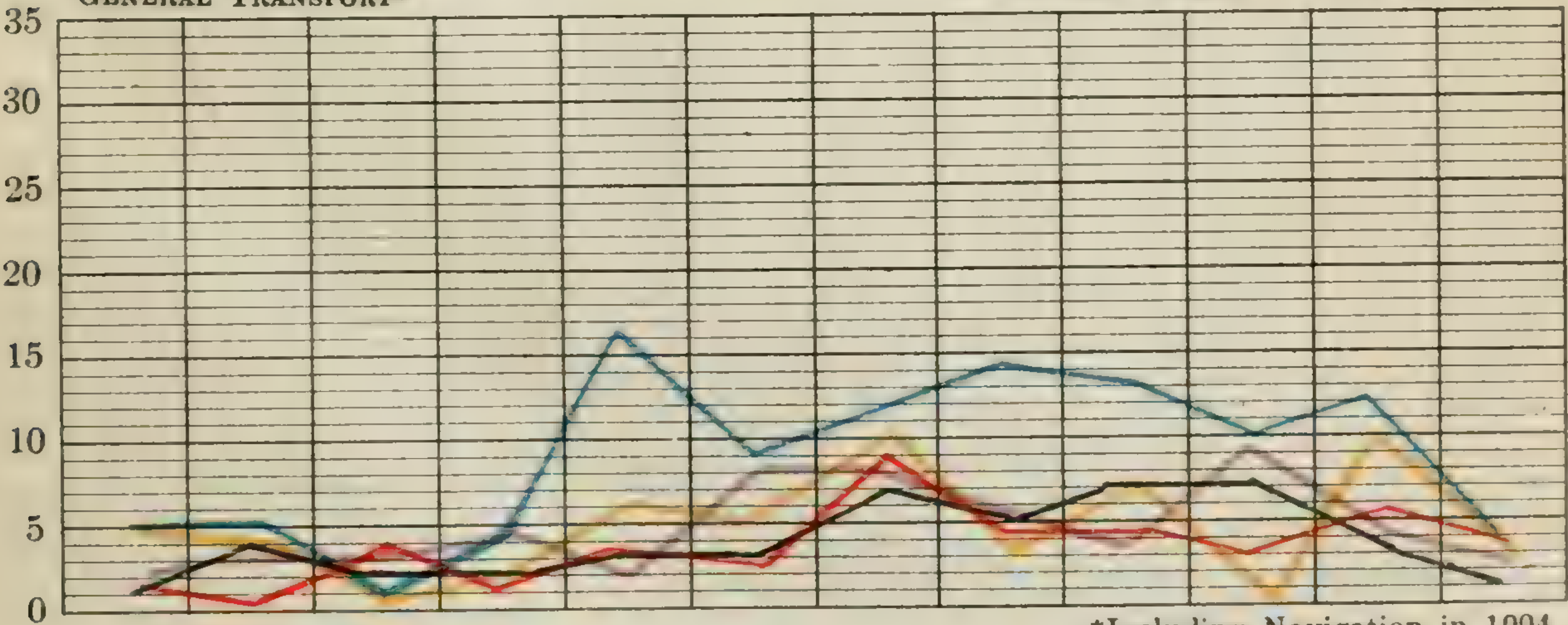
STATISTICAL CHART, VIII, A. R. No. 11



\*Classified with General Transport in 1904.

GENERAL TRANSPORT\*

STATISTICAL CHART, VIII, A. R. No. 12



\*Including Navigation in 1904.

1904 — blue line —  
1905 — red line —  
1906 — black line —  
1907 — purple line —  
1908 — yellow line —







## SESSIONAL PAPER No. 36

TABLE SHOWING CAUSES OF ACCIDENTS DURING THE YEARS 1904,  
1905, 1906, 1907 AND 1908—Continued

## WOODWORKING TRADES.

Causes of Accidents.	KILLED.					INJURED.				
	1904	1905	1906	1907	1908	1904	1905	1906	1907	1908
Injured by machinery, belting &c.....	3	3	2	5	3	46	28	118	123	88
Injured by saws .....	1		1		1	45	46			
Struck by wood flying from saws, planers, &c.....	3	1	1		2	7	6	3	8	12
Scalded by boiling water.....	2	1			1	1	1			1
Injured by elevators and hoists.....	2	1		2		2	4	1	1	1
Injured by shapers.....						10	6			
Injured by planers.....						6	15			
Injured by jointers .....						6	9			
Injured by knives.....						4	5			
Injured by other tools .....						3	2			
Injured by cutters.....						3	2			
Injured by sanding disc.....						3	2			
Injured by presses ..						2				
Struck by falling material.....				1		3	3	2	5	10
Injured by spindle carver.....						1				
Falling from vehicle .....	1						2			
Falling and jumping from a building ..						2				
Falling in ways not specified.....						3	6	4	1	4
Railway accidents .....		2					1			
Explosion of boiler .....								5		
Unclassified.....						7	2			
Total.....	12	8	4	8	7	154	140	133	138	116

## PRINTING TRADES.

Crushed in presses.....						5	8	17	20	
Crushed in printing machines.....						3	4			12
Struck by a falling mould .....						1	1			
Hot metal and other material.....							3			
Injured by knives .....							1			
Elevator accidents.....		1		1			1		3	
Explosion of magnesium powder.....							1			
Total .....		1		1		9	19	17	23	12

## CLOTHING TRADES.

Injured by elevators and hoists. ....	1	2	2	1		4	6	4	1	1
Kicked by a horse.....							1		1	
Injured by machinery, belting, etc....		1			1	8	21	11	18	13
Injured by mangles.....						4	1			
Injured by presses.....						2	2			
Injured by falling.....							1	1	1	
Injured by falling material.....							1	2	3	2
Explosion of acetylene gas.....							1	1		
Mistaken use of nitrate of potash.....							2			
Unclassified.....	2					3				
Total.....	3	3	2	1	1	21	36	19	24	16



TABLE SHOWING CAUSES OF ACCIDENTS DURING THE YEARS 1904, 1905, 1906, 1907 AND 1908—Continued

TEXTILE TRADES.

Causes of Accidents.	Killed.					Injured.				
	1904	1905	1906	1907	1908	1904	1905	1906	1907	1908
Injured by machinery, belting, etc....	2	.....	1	1	1	13	13	41	29	34
Injured by a loom.....						2	5			
Injured by a picker.....						1	2			
Injured by a shuttle.....						1	1			
Injured by a spindle.....						1	1			
Injured by an elevator.....			1		1	1	2			
Falling from a building, etc....		1				1	1		1	2
Collapse of a building.....						1	1			
Injured by drawing frame.....							2			
Run over by train.....		1								
Ignition of cotton, etc.....			1	2				1	3	
Falling material.....								3	8	1
Unclassified.....	1					2	2			
Total.....	3	2	3	3	2	23	30	46	41	37

FOOD AND TOBACCO PREPARATION.

Injured by machinery, belting, etc....	1	.....	5	3	2	12	23	27	22	23
Falling from vehicles.....		2		1	1	6	10	2	2	5
Falling from a ladder.....					1	1	3			
Falling in various ways not specified..	3		4			9	6	14	17	6
Injured by bursting bottles .....	1					2	4			
Run over by cars.....	1	1			2		2			
Injured by elevators.....		1	1	3	3	4	6	2	3	9
Scalded by hot water.....						3	4	10		4
Injured by falling of tree.....		1					1			
Injured by live stock.....		1		1			2	2	2	4
Crushed by goods in workshop, etc....					2	3	2			2
Injured by a knife or tools.....			1		3	1	2	7	2	4
Injured by a dough mixer.....						1	2			
Explosion of gas, etc.....		2	1	2			9	7	12	3
Drowned .....			3	1						
Smothered in grain bin.....			2							
Electric shock.....				3				1	2	
Dropped dead while fighting fire.....			1							
Railway accident.....			1	3						
Falling material.....			1	1				7	12	3
Unclassified.....		1				13				
Total.....	6	9	20	18	14	55	76	79	74	63

LEATHER TRADES.

Injured by machinery, belting, etc....	1	4	2	.....	1	1	6	11	2	4
Burned in a fire.....		2								
Falling.....			1				1	2	1	
Unclassified.....	1					3				
Injured by elevator.....					2					1
Injured by boiling tallow.....										
Total.....	2	6	3	.....	3	4	7	13	3	5



## SESSIONAL PAPER No. 36

TABLE SHOWING CAUSES OF ACCIDENTS DURING THE YEARS 1904,  
1905, 1906, 1907 AND 1908—Continued

## RAILWAY SERVICE.

Causes of Accidents.	Killed.					Injured.				
	1904	1905	1906	1907	1908	1904	1905	1906	1907	1908
Struck by engines, etc.....	53	37	27	42	15	35	27	44	16	16
In collisions.....	33	25	45	37	33	77	43	54	39	51
Derailing of engines, etc.....	18	16	12	30	25	24	33	29	18	42
When coupling.....	12	20				24	35			
Falling from trains and cars.....	22	6	14	17	15	49	31	53	52	47
Falling from train and run over.....	26	39				3	16			
Foot catching in frogs, etc., and run over.....	5	3				5	6			
Run over by trains, etc., in other ways	47	23	62	106	95	23	10	33	44	33
Injured by boiler explosions.....	3	3	5	2	4	5	12	4	2	13
Injured by blasting, dynamite, etc....	20		43	51	76	12	9	41	49	28
Crushed between cars, engines, etc....	10	20	21	33	16	16	28	30	58	28
Crushed in round-houses and shops....	2					5	3			
Striking objects when on moving trains and cars.....	1	4	5	2	6	2	23	3	5	4
Injured by falling snow and rock, etc.	4		6	11	19		3	18	46	33
Injured by electric shock.....	2						1			
Struck by falling freight.....	1					8	10			
Struck by falling metal.....		6				5	16		1	
Falling in other ways.....	4	2				15	4			
Injured by tools.....						3	3	4	3	
Injured by machinery, belting, etc....		1	1		6		9	10	4	16
Injured by an elevator.....		2				1				
Drowned.....			4	8	9					
Asphyxiated by gasoline fire.....			2		3					
Struck by lightning.....			4		1					1
Lost on prairie, frozen.....			1							
Burnt to death.....				2	1					
Sunstroke.....				1	1					
Injured by flying material.....										4
Blood poisoning.....					1					
Unclassified.....	10	8				30	9			
Total.....	273	215	252	342	326	342	331	323	337	316

## NAVIGATION.\*

Causes of Accidents.	Killed.				Injured.			
	1905	1906	1907	1908	1905	1906	1907	1908
Drowning.....	101	92	62	46				
Injured by falling material.....		3	5	3	20	24	19	22
Caught in hawser.....					1			
Falling into hold, etc.....	8	9	17	18	20	18	30	23
Explosions of gas, etc.....	8	1	1	8	14	5	12	6
Struck by engine.....	2	3	2					
Struck by merchandise.....		1			5	5		
Struck by derricks, cranes, etc.....	4		6		14		1	2
Injured by fire on vessel.....	1	1	5	3	11		4	1
Frozen to death.....	1							
Electric shock.....		1	1					
Injured by machinery.....		2	1	2		1	6	5
Crushed between wharf and vessel.....		2					1	
Discharge of firearms.....						1		
Struck by passing object.....		1						1
Exposure.....		1				6	1	
Injured by railways.....				4				
Injured by vehicles.....								1
Sunstroke.....								1
Unclassified.....	3							
Total.....	128	117	100	84	85	61	74	62

\* This group of trades was included with general transport in 1904.



TABLE SHOWING CAUSES OF ACCIDENTS DURING THE YEARS 1904, 1905, 1906, 1907 AND 1908—Continued

GENERAL TRANSPORT.

Causes of Accidents.	Killed.					Injured.				
	1904	1905	1906	1907	1908	1904	1905	1906	1907	1908
Drowned.....	33	69	4	9	1				64	
Falling on board ship.....	6	9				14	22			
Falling from vehicles.....	50	6	8		3	59	52	20		8
Falling from vehicles and run over...	1	6	4	11	7		10	16	11	8
Falling from scaffolding.....			2			1	2			
Falling from a building.....	1									
Falling in various ways not specified..	2				11	7		56		49
Crushed between a boat and wharf....	2	3				4	4			
Injured by elevators and hoists.....	6	3	1			6	4		6	
Injured by blastings and explosions...	5						1		1	
Struck by trains.....	4	5	5	2	4	3		8	10	1
Run over by trains and cars.....	3	3	2	2		3	5		9	
Run over by vehicles.....	1	1				6	2			
Collisions with street cars.....		3			4	6	24			13
Struck by timber, wood, etc.....	4		1	2		10	22		3	
Struck by wagon loads.....	3	1				4	2			
Struck by buckets.....	3				1	1				2
Injured by machinery, belting, etc...	4	3		2		2	13	7	2	
Struck by freight.....	2		2	3		5	10	7	14	
Struck by falling coal.....	2					1	1			
Crushed between cars and vehicles...	2						1			
Injured by falling earth, etc., in cave-in	3		1	3	8	1	1	6		13
Derailing of a train.....	1						1			
Injured by live stock.....	5	3	2	8	5	8	15	20	13	17
Exposure.....	1	1	1				2			
Crushed between cars and shed, etc....	1			3			3		13	
Struck by lightning.....						1				
Struck by falling metal.....						3	2	19		
Struck by vehicles.....						3	2		6	
Scalded.....						2				
Caught by hawsers and anchor chains..						3	1			
Burned in fire on a ship.....		3	1		1	2	11			4
Struck by a pulley.....						2				
Struck by falling bricks.....		1						6		
Collisions.....			12	5		1		13	13	28
Runaways.....				4	9				11	16
Electric shock.....				1					2	1
Unclassified.....		20				10	20			
Total.....	103	140	45	55	54	168	234	178	193	135

CIVIC EMPLOYEES. \*

	1905	1906	1907	1908	1905	1906	1907	1908
Injured by falls on way to fire, at fires, &c.....	4	1	2	4	53	43	29	22
Injured by falling material.....	2		1	6	10	6	27	12
Injured by collision between prison van and street car.....					3	5	6	
Injured while arresting prisoners...				2	5	7	1	4
Injured while lifting a tile.....	1	1						
Injured in an elevator.....					1	2		
Struck by engine.....		2				1	2	2
Asphyxiated by gas.....		1		3		1		4
Explosion of gas, etc.....			1	2		1	10	2
Run over by vehicles.....				1			2	5
Injured by live stock.....							2	2
Injured by tools.....							1	
Drowned.....			1					
Electric shock.....			1	1				
Machinery.....								2
Total.....	7	5	6	19	72	66	80	55

\* This group was constituted a distinct unit in 1905.



## SESSIONAL PAPER No. 36

TABLE SHOWING CAUSES OF ACCIDENTS DURING THE YEARS 1904,  
1905, 1906, 1907 AND 1908—Continued

## MISCELLANEOUS TRADES.

Causes of Accidents.	Killed.					Injured.				
	1904	1905	1906	1907	1908	1904	1905	1906	1907	1908
Blasting, explosions of dynamite, &c.	7	5	2	11	11	2	18	19	30	18
Other explosions.....	3	5	2	.....	9	2	5	22	.....	16
Boiler explosions.....	.....	2	.....	.....	.....	4	9	.....	.....	.....
Injured by machinery, belting, &c....	4	20	7	5	6	26	48	75	48	31
Railway accidents.....	4	3	6	3	.....	8	8	4	2	14
Falling from vehicles.....	1	.....	2	4	1	4	13	5	9	.....
Falling from buildings.....	1	2	.....	1	.....	17	5	1	5	.....
Collapse of buildings.....	3	1	.....	.....	.....	16	1	.....	.....	.....
Falling from scaffolding.....	.....	1	1	.....	.....	3	.....	1	.....	.....
Falling in various ways not specified..	4	7	1	4	10	13	15	56	21	31
Poisonous fumes.....	3	1	9	1	.....	11	.....	.....	.....	.....
Injured in various ways at fires.....	.....	.....	.....	1	.....	27	3	.....	11	.....
Struck by falling wood.....	1	1	.....	.....	1	1	6	.....	.....	.....
Drowned.....	3	16	7	8	.....	.....	.....	.....	.....	.....
Injured by live stock ..	2	1	1	2	.....	5	5	5	4	.....
Elevator accidents.....	.....	4	5	2	1	9	1	4	6	17
Injured by cave-in of earth.....	.....	.....	3	3	.....	.....	.....	4	.....	.....
Injured by electricity.....	.....	.....	1	1	2	.....	.....	.....	.....	1
Injured by exposure.....	.....	.....	.....	.....	2	.....	.....	1	1	1
Suffocated in a fire.....	.....	.....	2	.....	.....	.....	.....	.....	.....	.....
Heart failure.....	.....	.....	1	.....	.....	.....	.....	.....	.....	.....
Discharge of firearms.....	.....	.....	1	1	1	.....	.....	2	1	1
Burned to death.....	.....	.....	2	5	2	.....	.....	.....	.....	.....
Struck by falling material.....	.....	.....	2	9	2	.....	.....	27	30	18
Ruptured artery in struggle with patient.....	.....	.....	.....	1	.....	.....	.....	.....	.....	.....
Runaways.....	.....	.....	.....	.....	3	.....	.....	.....	.....	6
Smothered in cement.....	.....	.....	.....	.....	1	.....	.....	.....	.....	1
Asphyxiated by gas.....	.....	.....	.....	.....	7	.....	.....	.....	.....	.....
Injured by tools.....	.....	.....	.....	.....	2	.....	.....	.....	.....	1
Unclassified.....	5	2	1	.....	.....	30	18	.....	.....	.....
Total.....	41	71	56	62	61	178	159	226	168	156

## UNSKILLED LABOUR.

Falling from buildings.....	4	.....	2	.....	.....	8	7	.....	1	.....
Falling from scaffolding.....	1	.....	1	.....	.....	6	2	.....	.....	.....
Struck by falling wood.....	.....	2	4	.....	.....	12	13	15	.....	.....
Falling from vehicles.....	.....	1	.....	1	8	3	1	25	2	4
Falling in other ways.....	2	4	5	7	12	7	21	.....	22	12
Struck by falling stones, bricks, etc..	5	7	1	14	11	13	35	50	82	59
Injured by elevators and hoists.....	.....	1	.....	1	1	1	5	8	4	1
Injured by caving-in of earth.....	4	5	7	4	7	5	10	3	2	3
Injured by derricks and cranes.....	1	2	.....	.....	5	9	5	.....	.....	.....
Drowned.....	1	1	7	.....	.....	.....	3	.....	.....	.....
Blasting, explosions of dynamite, etc.	2	7	1	1	9	15	10	7	5	20
Injured by machinery, belting, etc....	.....	2	.....	1	3	3	12	13	17	13
Struck by falling metal.....	.....	1	.....	.....	.....	8	2	.....	.....	.....
Collapse of part of building.....	.....	2	.....	.....	.....	.....	.....	.....	.....	.....
Railway accidents.....	.....	16	10	4	8	.....	15	5	11	9
Run over by vehicles.....	.....	.....	.....	1	.....	.....	.....	2	6	.....
Injured by exposure.....	.....	.....	1	.....	.....	.....	.....	1	.....	.....
Injured by tools.....	.....	.....	.....	.....	1	.....	.....	5	1	4
Injured by live stock.....	.....	.....	1	.....	.....	.....	.....	4	1	2
Asphyxiated by gas.....	.....	.....	.....	.....	3	.....	.....	3	.....	.....
Injured by electric shock.....	.....	.....	3	.....	2	.....	.....	1	.....	.....
Struck by flying objects.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	3
Smothered in grain bin.....	.....	.....	.....	.....	1	.....	.....	.....	.....	.....
Unclassified.....	10	6	.....	.....	.....	29	2	.....	.....	.....
Total.....	30	57	43	34	71	119	143	142	154	130



## XIV.—THE LIBRARY OF THE DEPARTMENT.

During the fiscal year there were added to the library of the Department 190 official Reports, 36 works of reference and a large number of pamphlets dealing with industrial questions. There were also received 133 periodicals, of which 102 were trade and labour journals.

Among the more important government publications which were received at the Department may be mentioned various documents relating to Oriental immigration and labour in Australia and South Africa, supplied by the courtesy of the British Colonial Office, a Report on working class rents, housing, retail prices and rates of wages in Germany, Proceedings of the Commission appointed to inquire into the use of opium in the Straits Settlements and the Federated Malay States, Report of the New Zealand Labour Bills Committee on the Industrial Conciliation and Arbitration Bill, and the report of the Commission appointed to enquire into the Poor Laws of Great Britain.

Publications were exchanged, as in previous years, with the labour Departments or similar branches of government of most of the principal countries of the world, but no new country or state was added to the exchange list during the year.

The following periodicals were received for the first time, *Canada*, *Canadian Courier*, *Canadian Woodworker*, *Liberty and Progress*, *The Manufacturer*, *Le Prix Courant* and the *Socialist Review*.

Copies of many new trade agreements, which came into force in the Dominion during the fiscal year were furnished to the Department by interested parties. These agreements were printed in the *Labour Gazette* from time to time, and the copies received were placed in the Library.

The Department is indebted to the many persons who supplied numerous pamphlets of great economic interest and importance, either voluntarily or on request, which added largely to the value of the collection of pamphlets in the Library of the Department.

A catalogue of government reports and other publications relating to industrial and labour conditions, and of trade labour and economic periodicals received at the Department during the fiscal year is published herewith.



CATALOGUE OF REPORTS AND OTHER DOCUMENTS ADDED TO  
THE LIBRARY OF THE DEPARTMENT OF LABOUR  
DURING THE YEAR ENDED MARCH 31, 1909.

## CANADA:

*Department of Labour:*

	YEAR.
The Labour Gazette, Vol. VIII, Nos. 10 to 12; Vol. IX, Nos. 1 to 9 . . . . .	1908-1909
The Eighth Annual Report . . . . .	1907-1908
Report of the Royal Commission to enquire into Industrial Dis- putes in the Cotton Factories of the Province of Quebec..	1908

*Department of Mines:*

Summary Report of the Mines Branch for the fiscal year..	1907-1908
The Geology and Mineral Resources of New Brunswick. By R. W. Ells..	1907

*Department of Agriculture:*

Annual Report . . . . .	1907-1908
Report of the Dairy and Cold Storage Commissions . . . . .	1907-1908
Canadian Patent Office Record, April, 1907, to March . . . . .	1908
Census and Statistics. Bulletins Nos. 1 to 9..	1908-1909

*Department of the Interior:*

Annual Report . . . . .	1907-1908
Maps—Canada's Fertile Northland . . . . .	1908

*Department of Indian Affairs:*

Annual Report . . . . .	1907-1908
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*Department of Finance:*

Report of the Superintendent of Insurance . . . . .	1907
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*Department of Inland Revenue:*

Report, Returns and Statistics of the Inland Revenues of Canada . . . . .	1907-1908
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*Department of Justice:*

Report as to Penitentiaries of Canada . . . . .	1907-1908
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*Department of Marine and Fisheries:*

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Industrial Canada.	April, 1908, to March .. .. .	1909
Journal of Political Economy.	Vol. XVI., Nos. 4 to 12; Vol. XVII., Nos. 1 to 3, April, 1908, to March .. .. .	1909
Labour Co-partnership.	April, 1908, to March .. .. .	1909
Lend-a-Hand Record.	April, 1908, to March .. .. .	1909
Liberty and Progress.	April, 1908, to March .. .. .	1909
Literary Digest.	April, 1908, to March .. .. .	1909
L'Union Co-operative.	April, 1908, to March .. .. .	1909
National Civic Federation Review.	April, 1908, to March .. .. .	1909
Outlook, The.	April, 1908, to March .. .. .	1909
Political Science Quarterly.	Vol. XXIII., No. 2, to Vol. XXIV., No. 1, June, 1908, to March .. .. .	1909
Public Opinion.	April, 1908, to March .. .. .	1909
Quarterly Journal of Economics.	Vol. XXII., No. 3, to Vol. XXIII., No. 2, May, 1908, to March .. .. .	1909
Quarterly Review.	Nos. 415 to 418, April, 1908, to January .. .. .	1909
Royal Statistical Society, Journal of.	Vol. LXXI., Parts 2 to 4; Vol. LXXIII., Part 1, June, 1908 to March .. .. .	1909
Social Service.	April, 1908, to March .. .. .	1909
Socialist Review.	April, 1908, to March .. .. .	1909
Toilers of the Deep.	April, 1908, to March .. .. .	1909
Women's Industrial News (Quarterly).	June, 1908, to March .. .. .	1909



XV.—THE CIRCULATION OF THE *LABOUR GAZETTE*.

The *Labour Gazette* is published in both English and French, and involves the keeping of separate mailing lists, and the printing of all notices and the reading of all proofs in both languages. The number of paid subscriptions to the *Gazette* received during the past fiscal year was 7,564, the total paid circulation at the end of the fiscal year being 9,338. The continued increase in the circulation has correspondingly increased the work in the nature of entries, forwarding subscription notices, acknowledging remittances, sending out renewal subscription blanks, preparing and revising mailing lists, changing addresses of subscribers, &c. &c. In addition to forwarding the *Gazette* to regular subscribers, many sample copies have also been sent out from the Department.

In connection with the circulation of the *Labour Gazette* for the twelve months ending March 31, 1909, 6,306 letters were received and acknowledged, 5,548 of which had reference to subscriptions to the *Labour Gazette*, 446 to a change of address on the part of subscribers, and 312 to other matters connected with the circulation.

For the same period, 28,298 pieces of mail matter were despatched from the circulation branch, representing 24,788 communications containing notices, accounts, or receipts for subscriptions; 960 other communications in connection with the circulation of the *Gazette* and 2,550 parcels.

During the fiscal year 1908-9 the average monthly circulation of the *Labour Gazette* was 13,618 copies, of which 8,832 were on account of paid circulation,\* and 4,396 to persons on the free and exchange lists. The increase in the number of paid subscriptions over the preceding year was 305, while the increase in the free and exchange distribution was 152, making a total increase of 457.

The following figures will show the total circulation of the *Gazette* as it was on the last day of each of the fiscal years during the period from 1900 to 1909:—

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, IX. A. R. No. 34.

TABLE SHOWING CIRCULATION OF THE LABOUR GAZETTE AT THE CLOSE OF EACH FISCAL YEAR FROM 1900 TO 1909 INCLUSIVE.

Year.	Annual Subscriptions	Free and Exchange Distribution.	Total Circulation.
1900-1.....	4,391	2,158	6,912
1901-2.....	5,648	2,722	8,370
1902-3.....	7,748	3,046	10,794
1903-4.....	7,361	3,553	10,914
1904-5.....	6,645	3,717	10,362
1905-6.....	7,547	3,987	11,534
1906-7.....	8,033	4,105	12,138
1907-8.....	9,033	4,320	13,353
1908-9.....	9,338	4,472	13,810

\* The actual number of paid subscribers at the end of the fiscal year, March 31, was 9,338.



The following summary will show by provinces the number of paid subscriptions to the *Labour Gazette* at the end of the fiscal year, March 31, 1909:—

Nova Scotia .....	1,211
New Brunswick .....	518
Prince Edward Island .....	83
Quebec .....	2,228
Ontario .....	3,517
Manitoba .....	362
Saskatchewan .....	351
Alberta .....	328
British Columbia .....	578
The Territories .....	6
The British Empire (other than Canada).....	55
Foreign countries .....	101
<hr/>	
Total .....	9,338

FREE AND EXCHANGE LISTS.

Under the head of copies of the *Labour Gazette* sent as exchanges are included *Labour Gazettes* sent to public departments of the governments, both federal and provincial, in this and other countries, and to the publishers of trade papers and labour journals in exchange for their publications. On the free list are included copies sent to members of both Houses of Parliament, commercial agents, immigration agents, public libraries, boards of trade, libraries of educational institutions, local newspapers and the officers of organizations who supply from time to time information requested by the department. The following summary will show the number of copies mailed monthly on account of exchange and free lists:—

*Exchange List.*

Departments of governments (including federal, provin- cial, British and foreign governments and their officers) .....	450
Trade papers and labour journals.....	152

*Free List.*

Public libraries and libraries of educational institutions....	115
Members of the House of Commons.....	221
Members of the Senate .....	87
Boards of trade .....	220
Newspapers .....	893



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## Labour organizations—

Nova Scotia .....	147
New Brunswick .....	84
Prince Edward Island .....	9
Quebec (copies, English and French) .....	612
Ontario .....	827
Manitoba .....	104
Saskatchewan .....	59
Alberta .....	123
The Territories .....	8
British Columbia .....	220
	<hr/> 2,193
Correspondents of the <i>Labour Gazette</i> (3 copies each)	141
	<hr/>
Total .....	4,472

## REVENUE OF THE "LABOUR GAZETTE."

The revenue of the *Labour Gazette* is derived from the sale of single copies and from subscriptions for one or more years. Single copies are supplied at the rate of 3c. each, or 20c. per dozen. The annual subscription rate is 20c., or when more than 12 copies are taken by the same person or institution 15c. Bound volumes of the *Gazette*, including the issues of each year, are sold at the rate of 75c. per copy.

The following statement of receipts from subscriptions, and from the sale of single and bound copies of the *Gazette* during the fiscal year 1908-9 shows that the net revenue derived by the Government from this source amounted to \$1,563.82.

*Statement of the Revenue of the Department of Labour for the Fiscal Year ended March 31, 1909.*

Amount received from subscriptions to <i>Labour Gazette</i> ...	\$1,578.80
Sale of single and bound copies.....	45.97
Amount received up to June 30, 1908, for subscriptions to the <i>Labour Gazette</i> which has been held pending the identification of the remitters, and which is now being paid into revenue, as no claims have been presented for same .....	2.35
	<hr/>
	\$1,627.12
Less	
Commission on subscriptions .....	\$61.82
Fees paid for postal notes transmitting amounts due as commission on subscriptions.....	.63
Subscriptions refunded .....	.85
	<hr/>
	63.30
	<hr/>
	\$1,563.82



## XVI.—THE DISTRIBUTION OF THE *LABOUR GAZETTE* AND OTHER PUBLICATIONS.

The *Labour Gazette* is mailed from the offices of the Department of Labour. This work necessitates the preparation of a mailing list and its constant revision, also the enclosing and addressing of copies of the *Gazette* each month to names and addresses given on the mailing list. To expedite delivery, the several copies of the *Gazette* are sorted at the Department of Labour and distributed into mail bags, suitably labelled, for their destination in the several localities throughout the Dominion. Not only is time saved in this way, but work of the employees of the city post office is considerably lessened.

In addition to copies of the *Gazette* mailed regularly each month to subscribers, or as exchanges, etc., copies of the *Gazette* are sent out from time to time as samples. Single copies are also mailed from day to day in reply to requests for the same, or in connection with answers sent by the Department to inquiries on subjects which may have been dealt with, either in part or in whole, in the *Labour Gazette*, but a limited number of all copies already issued is kept on file for the same purpose.

During the fiscal year 1908-9, copies of the individual numbers contained in Volumes VIII.-IX. of the *Labour Gazette* to the number of 162,947, were distributed, 137,194 in English and 25,753 in French, also 5,918 copies in English and 776 in French of individual numbers of the *Gazette* of previous years, making a total distribution for the fiscal year of 169,641, or an average monthly distribution of 14,136.

In addition to copies of the *Labour Gazette* distributed there was mailed from the Department 63 copies of bound volumes of the *Labour Gazette*; 6,133 copies of the Annual Report of the Department; 33 copies of the report and evidence of the Royal Commission appointed to investigate the cause of industrial disputes in British Columbia; 31 copies of the report and evidence of the Royal Commission appointed to inquire into alleged employment of aliens by the Grand Trunk Pacific Railway Company; 33 copies of the report and evidence of the Royal Commission appointed to inquire into alleged employment of aliens by the Pere Marquette Railway Company; 75 copies of the report and evidence of the Royal Commission appointed to inquire into the influx of Italian labourers into Montreal and the alleged fraudulent practices of employment agencies; 778 copies of the report of the Royal Commission appointed to inquire into the dispute between the Bell Telephone Company and its operators at Toronto; 588 copies of the report of the Royal Commission appointed to inquire into the methods by which Oriental labourers have been induced to come to Canada; 2,052 copies of a report on methods adopted in carrying out Government clothing contracts; 537 copies of the reports of the special committee of the House of Commons to which was referred "Bill No. 2," an Act respecting Industrial and Co-operative Societies; 4,131 copies of the report on



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the need for the suppression of the opium traffic in Canada; 610 copies of the report of the Royal Commission appointed to investigate into the losses sustained by the Chinese population of Vancouver, B.C., on the occasion of the riots in that city in September, 1907; 617 copies of the report of the Royal Commission appointed to investigate into the losses sustained by the Japanese population of Vancouver, B.C., on the occasion of the riots in that city in September, 1907; 261 copies of the report by W. L. Mackenzie King, C.M.G., on mission to England to confer with the British authorities on the subject of immigration to Canada from the Orient and immigration from India in particular; 860 copies of the Royal Commission appointed to inquire into industrial disputes in the cotton factories of the Province of Quebec; 2 copies of article on settlement of coal miners strike at Lethbridge, Alberta, under Conciliation Act, 1900; 56 copies of an Act respecting Conciliation and Labour; 445 copies of the Industrial Disputes Investigation Act, 1907; 284 copies of the statement of proceedings under the Industrial Disputes Investigation Act, 1907, from March 22, 1907, to August 31, 1908; 8,000 copies of indices to Volume VIII. of the *Labour Gazette*, and in addition to the distribution of these several reports, etc., communications in the nature of circular letters having reference to investigations being made by the Department, and miscellaneous publications of one kind and another were mailed to the number of 5,142, making a total in all of 200,332 separate communications or publications mailed by the Department through its distribution branch in addition to the correspondence of other branches of the Department, during the fiscal year ending March 31, 1909.

The following table is arranged to show by months the number and nature of the publications mailed from the distribution branch during the fiscal year 1908-09:—



TABLE SHOWING NUMBER OF "LABOUR GAZETTES" AND OTHER DEPARTMENTAL PUBLICATIONS MAILED FROM THE  
DISTRIBUTION BRANCH OF THE DEPARTMENT OF LABOUR DURING THE FISCAL YEAR ENDED MARCH 31, 1909.

Name of Publication.	Months.												Total Number of Publications distributed 1908-09.
	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	
"Labour Gazette," Individual copies, Vol. IX., English.	11,289	11,190	11,300	11,138	11,000	11,900	12,000	11,300	11,332	11,338	11,400	12,007	137,194
" " " " Miscellaneous, " "	595	523	1,297	276	418	120	525	400	195	609	635	325	5,918
" " " " Bound Volumes, " "	12	.....	6	2	4	.....	.....	7	.....	2	2	7	42
" " " " Individual copies, Vol. IX., French.	2,152	2,223	2,201	2,100	2,182	2,300	2,275	2,268	2,189	2,168	2,250	2,445	25,753
" " " " Miscellaneous, " "	95	98	2	50	182	85	35	78	29	90	97	35	776
" " " " Bound Volumes, " "	7	.....	.....	1	1	1	.....	.....	8	2	1	.....	21
Annual Reports, 1906-1907 & 1907-1908, English.	.....	.....	8	10	20	726	2,316	7	4	309	2,544	55	5,999
" " " " 1906-1907 & 1907-1908, French.	.....	.....	4	.....	.....	.....	6	1	.....	.....	2	.....	13
" " " " Miscellaneous, " "	50	10	.....	.....	.....	6	.....	.....	.....	15	24	16	121
Report and evidence of Royal Commission on Industrial Disputes in British Columbia	1	.....	3	2	3	2	20	.....	.....	.....	.....	2	33
Report and evidence of Royal Commission on employment of aliens by Grand Trunk Pacific Railway Company	2	.....	2	2	3	2	20	.....	.....	.....	.....	.....	31
Report of Royal Commission on employment of aliens by Père Marquette Railway Company	2	.....	2	2	2	2	20	.....	.....	.....	.....	3	33
Report and evidence of Royal Commission on influx of Italians at Montreal and fraudulent practices of employment agencies	2	.....	2	3	3	3	61	.....	.....	.....	.....	1	75
Report of Royal Commission on Dispute between Bell Telephone Company and its employees, Toronto	20	4	8	20	10	726	.....	.....	2	.....	5	3	778
Report of Royal Commission on methods by which Oriental labour was induced to come to Canada	.....	.....	.....	100	400	25	20	10	7	9	10	7	588
Report on methods adopted in carrying out Government clothing contracts	10	2	4	20	8	4	2,000	.....	.....	.....	4	.....	2,052
Report of Special Committee of the House of Commons on "Bill No. 2 re Co-operatives Societies, English	10	10	.....	.....	20	3	.....	.....	17	6	12	5	83
" " " " " " French	.....	.....	400	.....	.....	2	.....	.....	31	12	7	2	454
Report on needs for the suppression of the Opium Traffic in Canada	.....	.....	.....	140	300	25	3,645	.....	7	7	7	.....	4,131
Report on the losses sustained by the Chinese population of Vancouver, B.C., by riots, Sept. 1907	.....	.....	.....	140	300	25	102	11	7	9	9	7	610
Report on the losses sustained by Japanese population of Vancouver, B.C., by riots, Sept. 1907	.....	.....	.....	140	300	25	100	11	10	10	9	12	617
Report of Mission to England re immigration to Canada from the Orient, and India in particular	.....	.....	.....	140	.....	25	52	12	7	9	9	7	261



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[illegible]



## XVII.—ENQUIRIES, CORRESPONDENCE, AND OTHER DEPARTMENTAL WORK.

Reference has been made elsewhere in the present report to the very large number of requests received during the year from various parts of Canada, and from the United States and elsewhere, for information in regard to the Industrial Disputes Investigation Act and proceedings thereunder. In that portion of the report relating to the work of the Fair Wages branch also mention has been made of some of the extensive correspondence which has taken place on this branch of the work of the Department. In addition inquiries are being constantly received relating to subjects associated more or less closely with departmental work, or to questions with which it is presumed by correspondents that the Department is in touch.

There has been during recent years a remarkable increase of interest on the part of the general public in nearly every aspect of the social and economic problems of the day, and the public appear to turn naturally for information on many points and even occasionally for guidance to the Department which comes in a measure into direct contact with a number of these problems. The possession of a library well equipped with standard writings in sociology and kindred matters and in which has been collected reports on these subjects of the different departments of the governments of leading countries of the world, has fortunately enabled the Department of Labour, as a rule, to furnish its correspondents with the information desired, though this has frequently entailed a considerable amount of clerical labour. It should be added that the classification and arrangement of the mass of reports and documents received from day to day in considerable volume, the necessary attention to the library, the codifying of information received in the Department on many subjects, and the filing of an extensive correspondence, are all matters constantly growing in importance and in the demands made on the clerical resources of the Department. It is believed to be, however, in accordance with the spirit in which the Department had its origin and with the objects it aims at accomplishing, that no reasonable effort should be spared to serve the public well in these important respects; and this view is held yet more emphatically when, as frequently happens to be the case, the inquiries received come from important public bodies, domestic and foreign, or from the representatives of other governments.

Some of the more important subjects concerning which inquiries were received are the following, namely: wages and hours of labour in Canada; the social and economic condition of the working classes; the organization of labour and the names and addresses of Canadian labour unions; the condition of the labour market in respect of various lines of industries, including farming, railway construction, etc., and the opportunities for employment therein; technical education and manual training; the housing and health of the working classes; the cost of living in Canada; Sunday labour; Chinese and Japanese labour;



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co-operation as a factor in industrial operations; the operations of employment agencies; employers' liability and workmen's compensation for industrial accidents; factory inspection and the inspection of mines; the employment of female and child labour.

There has been throughout the year a continuous and increasing demand for copies of the Annual Report of the Department, showing in a still more striking manner the manifest interest on the part of the public in the work of the Department. It is only fair to add in this connection that the demand for copies of the report was in a considerable number of cases due to the large amount of information contained in the report with respect to the operation of the Industrial Disputes Investigation Act. Very many requests were also received during the year for copies of earlier reports, and of all the various reports issued from time to time as the result of special investigations conducted by the Department. During the year several thousand copies of special reports printed for distribution by the Department were mailed to specially selected lists of persons in various parts of the Dominion and in many other cases in response to special requests. In a similar way copies of particular issues of the *Labour Gazette* are forwarded in response to requests for the same, or as the readiest means of furnishing information requested on some subject dealt with in the pages of the *Labour Gazette*.

Following are some examples of the class of inquiries received and of the information furnished by the Department:—

At the request of the Director of the International Labour Office, Basle, Switzerland, this Department obtained from the various Provinces of Canada particulars with regard to their systems of factory inspection and inspection of mines, the same to be embodied in a publication of the International Labour Office on the administration of labour laws in various countries.

The Chief of the Bureau of Statistics of the State of New Jersey, in asking for a copy of the Employers' Liability Act of Ontario, stated that it was wanted "as a guide in drawing up an Act of a similar character to be introduced at the present session of the New Jersey Legislature." Other inquiries on the same subject were received from individual companies, firms, and workmen, and related to claims for injuries sustained in various classes of industry.

A letter was received from the *Financial Post* of Canada asking if the Department was able to throw any light on the approximate number of unemployed in Canada during the past winter.

The Chief of the Bureau of Statistics of Massachusetts was furnished with forms of schedules used for the collection of statistics relative to industrial accidents.

In a letter from Strassburg, Sask., the Department was asked for a return of statistics of the relative cost of the necessaries of life in the various parts of Canada, and also to what extent these prices were affected by railway rates.

The Pastor of St. Matthew's Presbyterian Church, St. John, N.B., was furnished with information relative to labour and labour conditions in Canada.

The Secretary of the Industrial Committee of the Montreal's Women's Club wrote requesting literature relating to industrial and labour conditions in



Canada, and especially as to conditions under which women worked in this country.

A correspondent in Peoria, Ill., writing the Department for information on the subject of "Technical Education in Canada," stated that this information was desired for inclusion in a bibliography on this subject.

A professor of Commercial Geography and lecturer in the University of Pennsylvania was furnished with maps and industrial information concerning Canada.

A New York company engaged in the manufacture of silk ribbons wrote to the Department stating that it was inclined to start a similar industry in Canada and would be glad of information as to the prospects of obtaining proper skilled help and other necessary conditions for the operations of such a plant.

The Editor of "Charities and the Commons," New York, N.Y., was furnished with detailed information relating to the housing and health and other conditions affecting labour in Canada.

A correspondent in Winnipeg, Man., was furnished with information regarding the social and economic conditions of the working classes in Canada for use in an article to be published in a Hungarian paper.

The General Secretary of the Lord's Day Alliance in Canada was furnished with the addresses of labour unions throughout Canada.

A letter received from the First Vice-President of the Casualty Company of America, of New York, contained a request for information in regard to an inquiry into child labour.

The late Dr. Theodore Barth, of Berlin, Germany, was one of many others furnished with information relative to the recent industrial development of Canada.

#### THE ALIEN LABOUR ACT.

A further subject fruitful in inquiry and involving frequent correspondence on the part of the Department, is the Alien Labour Act. As originally enacted in 1897, and amended in 1898, the Alien Labour Act required that no proceedings should be instituted thereunder without the consent of the Attorney-General of Canada or some person duly authorized by him, but complaint was made that this method of procedure made it difficult for persons who believed themselves to have suffered through violations of the Act to secure immediate redress, and the statute was accordingly further amended so that parties desirous of bringing suit might proceed in the local courts without reference to the federal authorities. The Act was also amended in such other respects as experience had shown desirable, and appears in the Revised Statutes of Canada 1906 as Chapter 97, Vol. II, page 1753, "an Act Respecting the Importation and Employment of Aliens."



## CONCLUDING REMARKS.

In closing this report I desire to express my appreciation of the manner in which the various officers of the Department have discharged during the year the work allotted to them. The year has been, in some respects, the most eventful in the history of the Department, owing to the announcement of the Prime Minister that it had been decided that the Department should be elevated to the rank of a separate portfolio, a change definitely foreshadowed at the close of the year, and actually accomplished, as has been shown in the introductory chapter to this report, early in the present financial year. The change in the Deputy Ministership also marks the year as an exceptional one.

The continued expansion of work during the year has been illustrated in the discussion of the different branches of the Department, and it has been shown that the work is not only appreciated by the public, but is to a large extent the outcome of a very definite demand on the part of the citizens of this and other countries. That this growth of work will continue under the new conditions there can be no doubt, but in order that the same may be accomplished with due thoroughness and regard to the public interests it may become necessary at an early date that the Department shall be housed in more commodious premises and that its facilities for the performance of statistical research and other clerical work shall be further extended. It would not seem that in any other way the Department would be rendered equal to the increasing demands upon its resources.

I have the honour to be,

Sir,

Your obedient servant,

F. A. ACLAND,

Deputy Minister of Labour.







APPENDIX TO ANNUAL REPORT

OF THE

DEPARTMENT OF LABOUR

FOR

THE FINANCIAL YEAR ENDING MARCH 31, 1909

BEING

A STATEMENT OF THE PROCEEDINGS FOR THE YEAR UNDER  
THE INDUSTRIAL DISPUTES INVESTIGATION ACT 1907







## SESSIONAL PAPER No. 36

## I.—APPLICATION FROM EMPLOYEES OF THE HAMILTON STREET RAILWAY COMPANY, OF HAMILTON, ONT.—BOARD ESTABLISHED—NO CESSATION OF WORK.

Application received—January 25, 1908.

Parties concerned—Hamilton Street Railway Company, the Hamilton and Dundas Railway Company and the Hamilton and Burlington Railway Company and their employees.

Applicants—Employees.

Nature of industry concerned—Electric Railways.

Nature of dispute—Relations of Union to employing Companies.

Number of employees affected—Directly 120, indirectly 75.

Date of constitution of Board—February 17, 1908.

Membership of Board—His Honour Judge Monck, County Judge of Wentworth County, Chairman, appointed on the joint recommendation of the other members of the Board; Mr. William Bell, K.C., Hamilton, recommended by employers; Mr. J. G. O'Donoghue, Toronto, recommended by employees.

Report received—April 8, 1908.

Result of inquiry—Strike averted.

In the application of John Theaker and George Armstrong, of Hamilton, for the appointment of this Board it was alleged that the employing Companies had indulged in coercion and discrimination to prevail upon employees to abandon their membership in the Amalgamated Association of Street and Electric Railway Employees of America, and that members had been discharged from the Companies' service primarily because of their membership in the Union. In this connection attention was particularly called to the alleged dismissal of Conductor John Theaker, who was at the time President of Division 107 of the Amalgamated Association of Street and Electric Railway Employees of America. The applicants denied that Mr. Theaker was guilty of charges preferred against him and asserted their confidence that the finding of an arbitration or investigation would direct the Companies in question "to withdraw their discrimination against the Union and observe the agreements in full respect as to letter, sense and intent."

In a statement in reply to the application the employing Companies submitted that the dispute was not one falling within the scope of the Industrial Disputes Investigation Act, and that in any case the charges of discrimination, breach of agreement, unfair dismissal, &c., were untrue. The decision of the Minister, however, was that the difference was of a nature which brought it within the purview of the Act, and the Board was accordingly established.

The Board sat several days during March and heard evidence on the subject of investigation, Mr. Reeves, an international officer of the Union,



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taking part in the proceedings. As a result of the enquiry, a report was prepared and forwarded to the Department, signed by the chairman and Mr. Bell. Mr. O'Donoghue submitted a minority report, which was also forwarded to the Department. The report of the Board sustained generally the contentions of the employing companies, and found that the charge of discrimination grew out of difficulties among the men themselves, as between union men and non-union men, concerning which the Companies had preserved a strict neutrality. The dismissal of Mr. John Theaker was justified. The report condemned the attitude of the international officer of the union, Mr. Reeves, towards the officers of the employing Companies, and submitted that "better results would be obtained by employees in industrial disputes if the foreign element were eliminated from them." The report condemned the character of certain articles discussing this dispute contained in a monthly journal entitled "The Industrial Banner," of London, Ont., and recommended that "if the officers of the Union desire amity between the Companies and themselves, they should discontinue the subscriptions to this paper until the publication of these articles cease."

Mr. O'Donoghue, in the minority report submitted, agreed with the other members of the Board, in so far that he found in the evidence no justification for the charges of discrimination on the part of the employing Companies against those of their employees who were members of the Union. Mr. O'Donoghue accepted as voicing the settled policy of the Company, the declaration on this subject of Col. the Hon. J. M. Gibson, president of the Company, "that there is no objection to employees belonging to a Union." He agreed also that the schedule arranged under the existing agreement had apparently worked out in favour of the older employees, and that as a consequence there was considerable friction between the older and younger men, to which, no doubt, many of the complaints were due. As to the dismissal of John Theaker, however, Mr. O'Donoghue held that Theaker was unjustly discharged, that the grounds alleged by the Company for the discharge were not sustained by the evidence, and that "no other conclusion is possible than that he (Theaker) was made the victim of Mr. (Supt.) Miller's dislike, a dislike engendered by reason of Theaker's participation in the strike when he was president of the Union." That being the case, he should be reinstated. With regard to the comments contained in the report of the Board concerning "The Industrial Banner" publication, and the international officer of the Union, Mr. O'Donoghue pointed out, as to "The Industrial Banner," that the Union as a whole subscribed for the paper, and that the members by reason of their membership were entitled to receive copies. He did not think the complaint well founded "because the Union cannot be expected to know what articles will appear from time to time in any newspaper, and subscription for the Hamilton daily papers might just as well be objected to." As to the attitude of the international officer, Mr. O'Donoghue submitted that "Mr. Reeves conducted the case of the men with marked ability, and was of much assistance in ventilating the whole case before the Board."

Although the Board was not able to reach a unanimous conclusion on the matters investigated, there is every reason to believe that the information



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brought out during the enquiry showing the real reason for much of the existing friction, tended to improve greatly the situation as between the disputing parties and to prepare the way for a better understanding between the employing Companies and the men. Consequently, no interruption of work occurred by reason of the dispute.

## REPORT OF THE BOARD.

The text of the report presented by the Board is as follows:

In the matter of the Industrial Disputes Investigation Act, 1907, and of a dispute between The Hamilton Street Railway Company, and The Hamilton and Dundas Railway Company, and the Hamilton and Burlington Radial Railway Company, Employers, and motormen, conductors, shopmen, linemen, machinists and blacksmiths, etc., employees of the said Companies, members of Division No. 107, Amalgamated Association of Street and Electric Railway Employees of America, of Hamilton, Ont., Employees.

The Board of Conciliation appointed to consider the above matters begs to report as follows:—

During the first sitting, the representatives of the Press were excluded in the hope that by free exchange of ideas and friendly intercourse, the parties to the enquiry might effect a compromise. At the end of the first day it became apparent that no such compromise was probable, and the enquiry was made open to the press and public.

The charges or complaints made by the Union in their application for the appointment of this Board are:—

(1) The dismissal of Conductor John Theaker, President of the Union, without cause;

(2) Coercion tending to disrupt the Union; discrimination against members of the Union; favoritism to non-unionists.

(3) Ignoring complaints made by the Union committee in cases of alleged grievances and discourteous treatment of committees;

(4) Fostering and encouraging an organization rival to the Union, and

(5) General breaches of the existing agreement which was the result of the award of the Ontario Railway Board.

It was shown in evidence that since the making of the existing agreement between the parties, Theaker, who was employed by the Hamilton Street Railway Company as a conductor, had been a party to several minor breaches of the company's rules, any one of which, according to the rules of the company, might justify his dismissal; but the company did not dismiss Theaker for any of such breaches.

It was also shown by conclusive evidence that while acting as conductor of one of the company's cars, he had several times carried a passenger free of charge. In fact, after his dismissal, he admitted the truth of this charge to several of the officers of the employing company.

It was also shown that while acting as such conductor, he several times accepted as fare limited tickets, at times when these tickets were not current as fare.

For these latter breaches of duty he was dismissed, and it is the opinion of your Board that his dismissal was justified.



Although no evidence was given by the employees which might substantiate any of the charges, except that respecting Theaker's dismissal, the employing companies by very strong, clear and frank evidence negatived them all.

The evidence shows that at the time of the Arbitration before the Ontario Railway Board, dissatisfaction arose between the older and the younger employees of the companies. The younger members charged and still maintain that the older employees, amongst whom Theaker was, obtained a settlement under which the present schedule of wages came into force, without consulting the younger employees, and that the said schedule is unfair to the latter class as against the former. This led to the withdrawal from the Union of a very large proportion of its members, and to constant and continued disputes, and aroused bitter feeling amongst the men themselves.

Instead of realizing the situation, the older employees blamed the companies for these troubles—and hence arose the charges of discrimination, of inducing members of the Union to withdraw, and kindred charges.

Your Board believe that after hearing the evidence, the complainants are satisfied that this is the seat of the troubles complained of, that all these troubles were domestic, and that the companies maintained a strict neutrality between the warring factions of their employees, treating all fairly and alike; and this is the finding of your Board.

The case of the employees was conducted before your Board by a gentleman named Reeves, from the United States of America, who is an international officer of unions.

The attitude of this gentleman toward the officers of the employing companies was such that even had the latter been inclined to make a compromise, they could not well have done so with proper self-respect and due regard to the discipline of their employees, and it is submitted that better results would be obtained by employees in industrial disputes, and there would be fewer of such disputes if the foreign element were eliminated from them.

Your Board beg further to report that eight almost consecutive numbers of a newspaper called "The Industrial Banner," issued monthly at London, Ont., were put in evidence, and each number contains one or more articles of a scurrilous nature, reflecting on the companies concerned in this enquiry and its officers, especially on D. M. Miller, the Superintendent of the Hamilton Street Railway Company.

The evidence shows that the statements made in these articles are unfair and untrue, and serve only as an irritant between the union and the companies. This paper is subscribed for by the union and distributed to its members gratis.

Your Board recommends that if the officers of the union desire amity between the companies and themselves, they should discontinue the subscription to this paper until the publication of these articles cease.

The Board is of the opinion that neither Manager Green nor Superintendent Miller, nor any other officer of the employing Companies has shown any enmity towards the Union or those belonging to it.

All of which is respectfully submitted.

(Sgd) J. F. MONCK,  
*Chairman.*

WM. BELL.

Dated at Hamilton, the 6th day of April, 1908.



## THE MINORITY REPORT.

The text of the minority report submitted by Mr. O'Donoghue is as follows:

In the matter of the Industrial Disputes Investigation Act, 1907, and of a dispute between The Hamilton Street Railway Company, Hamilton and Dundas Railway Company, and the Hamilton and Burlington Radial Railway Company, Employers, and motormen, conductors, shopmen, linemen, machinists and blacksmiths, etc., employees of the said companies, members of Division No. 107, Amalgamated Association of Street and Electric Railway Employees of America, of Hamilton, Ont., Employees.

I regret that I cannot agree with the other members of the Board in the conclusions to be arrived at in this investigation.

The main complaints advanced before the Board by the employees against the Company were:—

1. That employees were discharged by the company on account of their membership in the Association; that membership in the Association was discouraged and disapproved of by the company.
2. That Grievance Committees were refused hearings or were discourteously received.
3. That the influence of the men's committees and representatives was sought to be weakened among the men by reports circulated by the company's officials.
4. That the company did not honourably carry out the award of the Ontario Railway Commission and the agreement based thereon by refusing to restore five employees to their old positions on the Radial Railway.
5. That the company was responsible for a petition that was circulated among the employees requesting the restoration of the old schedule, and that men were threatened with dismissal if they refused to sign the petition—that if the company did not actively encourage the circulation of the petition, it at least tolerated it, and that this was a violation of the agreement that followed the Award of the Railway Commission.
6. That members of the Union were discriminated against on account of their membership in the Association.
7. That John Theaker, President of the Association, was discharged on account of his connection with the organization.

I do not find justification in any evidence given before the Board for Nos. 1, 2, 3, 4, 5 and 6.

With general reference to the allegations of discrimination, I accept Col. Gibson's declaration, that there is no objection to employees belonging to a union, as voicing the settled policy of the company.

The petition was evidently the work of certain of the employees, acting entirely on their own initiative.

The schedule arranged with the company apparently worked out in favor of the older employees. Since the arrangement, many young men have become employees of the road, and they apparently are not satisfied with the schedule. As a consequence, there is considerable friction between the two bodies of men, and many of the complaints have no doubt arisen from this difference.

In John Theaker's case, my opinion is that Mr. Miller was seeking for an opportunity to get rid of him, and that he was unjustly discharged. Mr. Miller swore that he had lost confidence in Theaker before the late strike, and he based that statement upon two grounds, namely, (1) That Theaker, as President of the Union, had allowed the use of liquor at or after meetings of the Union, and that as a result employees were rendered less fit for their duties; and (2) That Theaker had knowledge of the use of "diggers" by employees of the company and had not reported this to the company.



As to ground number 1 the Board unanimously declared that there was no foundation for the charge. On the second charge, my opinion is that Theaker acted as any honorable man would act who would hesitate to play the spy. He consulted his committee, and upon their advice delayed for the time being, in making known to the company what was going on, but he swore that subsequently, when affairs were not complicated by the strike, he gave all the information he had to Mr. Green, an official of the company, Mr. Green admitted this.

With his two grounds for losing confidence in Theaker gone, there must have been some other reason actuating Miller. What that reason was appears from the testimony of one Tollson, who swore that Miller told him he "had it in" for Theaker for the latter's part in the strike, and would get rid of him. Tollson was never a member of the Union, and his testimony cannot therefore be suspected of being biased towards Theaker.

It appears from the evidence that Theaker was in the service of the company for 17 or 18 years, and that he was an exemplary employee, at least down to the time of the strike. After the strike things changed, it was alleged, and he became careless about his duties and, in one short year, Mr. Miller discovered that the company would be better off without him, and he was discharged. The grounds advanced for this summary treatment of an old and faithful employee were:—

1. That, contrary to the rules of the company, he "visited" the motormen. It appeared he was warned about this in August, 1907, and had not offended since.
2. That he reported late on one occasion.
3. That he failed on one occasion to wear his badge.
4. That glass was broken in his car; also a trolley pole and a semaphore.
5. That he accepted limited tickets after hours on two occasions.
6. That he carried a lady free on one occasion.
7. That he carried wives of employees free.

Mr. Miller admitted that numbers 1, 2, 3 and 4 amounted to nothing, and that the real charges were numbers 5, 6 and 7.

As to accepting limited tickets after hours, Waller swore that on two occasions he had seen Theaker accept limited tickets about seven minutes after the time allowed. On one of these occasions Theaker is alleged to have sold to a lady a strip of limited tickets, but Waller could not say whether or not Theaker had received two of them from the lady, which would have been in accordance with the rules or practice of the company. But he did swear that Theaker had refused to accept a limited ticket from a man in the same seat. The second occasion was the acceptance of a limited ticket from one passenger, and he was positive Theaker had collected only one ticket from the passenger. Theaker swore that he had no recollection of either occasion and that he did not knowingly ever take a limited ticket after hours.

In view of Theaker's long and honourable service with the company, and the excellent reputation for truthfulness given him by the Mayor, Rev. Mr. Williamson, and a number of aldermen who appeared before the Board on Theaker's behalf, I accept Theaker's testimony as against Waller's. The passenger in each case, assuming that Theaker did collect a limited ticket on each occasion, may have boarded the car before the time limit had expired, and thus be entitled to tender a limited ticket when the actual collection of fares was made after the time limit.

Then as to charge No. 6—carrying a lady free. A young boy and his sister swore to seeing Theaker pass the lady without taking her fare and then ring up the fare. The lady herself swore that Theaker did not collect her fare. Theaker admits not collecting her fare, but swore that he paid it himself, as he knew she was in hard circumstances. This evidence is supported by the evidence of the lady's husband, who admitted that he was in receipt of assistance from the Union, through Theaker.



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There does not appear to be much difference of opinion about charge number 7—carrying employees' wives free. Theaker explained that his admission to the company's officials was that before the strike, it was a common practice to carry the wives of employees free, and that he did so at times, but only when no other passengers were on board, but that since the strike nothing of the kind had occurred. There was no evidence to the contrary.

So that, on the evidence, the grounds alleged for Theaker's discharge are not substantiated, and no other conclusion was possible than that he was made the victim of Miller's dislike, a dislike engendered by reason of Theaker's participation in the strike, when he was President of the Union. That being the case, he should be reinstated. Even assuming the charges well founded, Theaker's long service with the company should have counted for something, and would, with any employer possessed of a fair sense of justice, have meant his retention. I do not blame President Gibson for what happened, as he cannot be expected to be in touch with all the small details of operation. In fact, he expressed a keen regret at the occurrence, and taking his information from the man who had determined to "get rid" of Theaker, it is not to be wondered at that he was misled.

Copies of "The Industrial Banner," a labour paper published in London, Ont., were placed before the Board by the company, and our attention directed to articles reflecting upon the company and upon Mr. Miller. It was contended that the union should have discontinued its subscription to the paper. It appeared that the union as a whole, subscribed for the paper, and the members by reason of their membership are entitled to receive copies, I do not think the complaints well founded, because the union cannot be expected to know what articles will appear from time to time in any newspaper, and subscription for the Hamilton daily papers might just as well be objected to.

An endeavour was made to discredit Mr. Reeves, an officer of the International Association, who appeared before the Board to present the case of the men. Col. Gibson blamed Mr. Reeves for a great deal of the trouble, but on being examined, had to admit that he had no evidence whatever to justify the allegation. Mr. Reeves conducted the case of the men with marked ability, and was of much assistance in ventilating the whole case before the Board.

(Signed) JOHN G. O'DONOGHUE.

Dated at Toronto, April 1st, 1908.



## II.—APPLICATION FROM EMPLOYEES OF THE DOMINION MARINE ASSOCIATION — BOARD ESTABLISHED — AGREEMENT CONCLUDED.

Application received—March 6, 1908.

Parties concerned—Dominion Marine Association and Great Lakes seamen.

Applicants—Great Lakes seamen.

Nature of industry concerned—Shipping.

Nature of dispute—Wages and conditions of employment.

Number of employees affected—450.

Date of constitution of Board—April 1, 1908.

Membership of Board—Professor Adam Shortt, Kingston, Ont., Chairman, appointed on the joint recommendation of the other members of the Board; Mr. James Stewart, of Kingston, Ont., appointed by the Minister in the absence of any recommendation from the Dominion Marine Association; Mr. John A. Flett, of Hamilton, Ont., appointed on the recommendation of the employees.

Report received—April 14, 1908.

Result of inquiry—Strike averted.

In the application for the establishment of this Board it was alleged that the wages paid to Canadian seamen on the Great Lakes were very low, running from \$20 per month to \$40 per month, some of the boats paying, however, a little better than \$40 in the fall; that the working hours were very long, men in some cases being on deck from 12 to 18 hours at a stretch. It was also asserted that the Union had been negotiating with the Canadian Lake Carriers through the Dominion Marine Association off and on for a year, but that all their propositions had been rejected.

In its reply to the application, the Dominion Marine Association held that the Association was not an employer within the meaning of the Act, and that its Executive Committee had, on February 12, by resolution declared that the question of an agreement with the seamen was one to be left with individual vessel owners. The Minister held that the Dominion Marine Association was to be regarded as an employer for the purposes of the Act, and proceeded with the establishment of a Board.

As the report printed below will show, most of the matters referred for investigation were dealt with informally before the Board. It was not found possible to embody the outcome in a written agreement, but the discussions that took place before the Board between representatives of employers and men respectively, were useful in clearing up many misconceptions, both as to the working of the Act and in disposing of a number of special grievances and causes of friction which had grown up between the two parties. Both parties



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expressed themselves as well satisfied with the outcome, which may be regarded as an especially fortunate result in view of the original determination of the Dominion Marine Association that it would take no part in the proceedings.

## LETTER FROM MEN'S REPRESENTATIVE.

The following letter from Mr. Thomas H. Fleming, of Kingston, business agent of the Lake Seamen's Union, to the chairman of the Board, shows the view of the men with regard to the proceedings before the Board.

Kingston, Ont., April 9th, 1908.

PROFESSOR ADAM SHORTT,  
Queen's University, Kingston, Ont.

Dear Sir:

We desire to extend to you, on behalf of myself and colleagues, our sincere thanks for the courteous manner in which we were treated by you while chairman of the Board of Conciliation and Investigation. Although somewhat disappointed by the Act, as some of its workings were not just what we had anticipated, we nevertheless understand the good work you have done in bringing the employer and employee together to talk the matter over, which will no doubt lead to good results in the future. We also desire to thank you for the able manner in which you conducted the investigation.

I remain, yours sincerely,

(Signed) THOS. H. FLEMING,  
Business Agent, Lake Seamen's Union.

## TEXT OF BOARD'S REPORT.

The text of the report forwarded by the chairman of the Board is as follows:—

April 13, 1908.

HONOURABLE RODOLPHE LEMIEUX,  
Minister of Labour, Ottawa, Ont.

Dear Sir:

I have the honour to make the following report with reference to the settlement of the dispute between the Lake Seamen's Union and the Dominion Marine Association:

The Board of Conciliation appointed to deal with this case consisted of Mr. James Stewart, of Kingston, appointed by the Department of Labour to represent the Dominion Marine Association; Mr. John A. Flett, of Hamilton, nominated by the Lake Seaman's Union, and Prof. Adam Shortt, of Kingston, nominated by these members as third member and chairman of the Board.

It is unnecessary to refer in detail to the correspondence between the Department of Labour and the representatives of the Dominion Marine Association, and the Lake Seamen's Union, previous to the constitution of the Board. Suffice it to say, that the Dominion Marine Association, having taken the ground that it was not an employer of labour, and hence did not consider itself as coming within the terms of the Act, declined to appoint a



representative on the Board of Conciliation, or to take any part in the proceedings before the Board. On the appointment of the Board, therefore, under the conditions above stated, it was considered advisable, before entering upon the regular sittings, that the members of the Dominion Marine Association should be interviewed with the object of clearing up certain misapprehensions as to the workings of the Industrial Disputes' Investigation Act, and with a view to securing their voluntary attendance before the Board to discuss the points at issue. The outcome of this course was entirely satisfactory, and all the leading shipping companies and vessel owners on the lakes were represented before the Board when it convened on April 7th. The following were present representing the vessel owners: A. E. Wright, President Dominion Marine Association, and representing the St. Lawrence and Chicago Navigation Co.; James Cuttle, Managing Director of the Montreal Transportation Company; H. A. Calvin, President of the Calvin Co.; H. H. Gildersleeve, Manager Northern Navigation Co.; Captain Foote, Canadian Lake and Ocean Navigation Co., and Canadian Lake Transportation Co.; Captain Featherstonhaugh, Midland Navigation Co.; J. T. Matthews, the Matthews Steamship Co., and Captain Horsey, of the Bay of Quinte Navigation Co. The Seamen's Union was represented by Mr. Thos. H. Fleming, business agent, Kingston, assisted by John Guild, Kingston, Harry Carey and Roderick Leonard, Goderich.

The chief points at issue were the claims on the part of the seamen for a higher scale of wages, and for certain improvements in the working conditions, more particularly with reference to the elimination, where possible, of the necessity for taking a high watch immediately after being on duty the greater part of the day, as when leaving port or the canals. In the course of the discussion before the Board a number of difficulties and misunderstandings were cleared up, but it was found impracticable to adopt any rigid rule or rules with reference to the hours and duties of seamen, owing to the varied conditions of the shipping business and the variety of the vessels employed. The vessel owners, however, unanimously agreed to the following conditions submitted by Mr. James Cuttle, of Montreal: "That the managers of the different companies give instructions to their captains that, wherever practicable, the seamen be given an opportunity to obtain rest before going on watch." This was considered by the representatives of the seamen as a reasonable treatment of the matter.

The question of wages was discussed at considerable length. Though wages had not been materially increased for the past four or five years, yet in view of the uncertainty of the outlook for the present shipping season, it was considered inexpedient to press for an increase of wages at the present time. Should, however, the Western Provinces be favoured with a good harvest, thus promising good cargoes in the autumn, the members of the Board were convinced that the wages of the seamen, from September to the end of the season of navigation, should be substantially increased.

Though no formal agreement was found necessary in this case, yet the general result of the proceedings before the Board was to clarify the situation, to improve the relations between the vessel owners and the seamen, and to dispose of any prospective troubles on the Canadian side of the lakes for the season just opening.

I have the honor to be,

Yours sincerely,

(Sgd.) ADAM SHORTT,

Chairman, Board of Conciliation.



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III.—APPLICATION FROM EMPLOYEES OF THE MANITOBA AND  
SASKATCHEWAN COAL COMPANY, LIMITED, OF BIENFAIT,  
SASK.—BOARD ESTABLISHED—NO CESSATION OF WORK.

Application received—March 16, 1908.

Parties concerned—Manitoba and Saskatchewan Coal Company, Limited, and employees.

Applicants—Employees.

Nature of industry concerned—Coal mining.

Nature of dispute—Wages and hours.

Number of employees affected—50.

Date of constitution of Board—April 22, 1908.

Membership of Board—His Honour Judge Dawson, Winnipeg, Man., Chairman, appointed by the Minister in the absence of any joint recommendation from the other members of the Board; Mr. Geo. R. Crowe, Winnipeg, Man., appointed on the recommendation of the employers; Mr. F. H. Sherman, of Taber, Alta., appointed on the recommendation of the employees.

Report received—December 8, 1908.

Result of inquiry—Strike averted.

This dispute was alleged by the employees affected to have resulted from failure to agree on hours, conditions of labour and rates of wages. The claims of the employees called for full recognition of the United Mine Workers of America, an eight hour day and the "standard wages of District No. 18, as now prevailing in the lignite fields of Southern Alberta." The Board appears to have investigated the dispute without delay, but according to the representations to the Department some misunderstanding seems to have occurred among the members of the Board with respect to the manner of preparing and forwarding their report to the Minister, and an unusual delay occurred in consequence, the report in question not being formally received in the Department until the date above named. It has not, however, been represented to the Department that the question of the settlement of the dispute to which the report related was at all prejudiced by this delay.

The report of the Board recommended the payment of the same rate of wages and contract mining rates as those prevailing at the Taylorton and Roche Percée coal mines. The rates at the Taylorton mines, it may be remarked, were arranged before a Board of Conciliation and Investigation under the Industrial Disputes Investigation Act during the summer of 1908. In the present case the Board could not see its way to recommend an eight-hour working day. The demand for coal from the mine at Bienfait was said to be uncertain and the coal was stated not to be of a character suitable for



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storing; consequently some elasticity in the matter of hours was, in the opinion of the Board, desirable. No opinion was expressed by the Board on the question of the recognition of the Union.

Mr. Sherman, in the minority report, took strong exception to the attitude of the directors of the company in their representations before the Board. Mr. Sherman urged that the United Mine Workers of America should receive full recognition from the Company; he contended that the same rates of wages and the same conditions of labour should prevail at Bienfait as existed in the lignite coal fields of Southern Alberta; he recommended finally that an agreement should be made between the Company and its employees on the same basis as that already in operation as between the Western Dominion Collieries, Limited, of Taylorton, and the United Mine Workers of America.

It was subsequently represented to the Department that the employees affected were not satisfied with the findings of this Board. No cessation of work, however, occurred.

The following is the text of the report of the Board:—

TEXT OF BOARD'S REPORT.

TO THE HONOURABLE THE MINISTER OF LABOUR,  
Ottawa, Ontario.

In the matter of Industrial Disputes Investigation Act, 1907, and in the matter of a dispute existing at Bienfait, Saskatchewan, between The Manitoba and Saskatchewan Coal Company, Ltd., Employers, and their employees as represented by District No. 18, United Mine Workers of America, Employees.

Submitted on the 22nd day of April, A.D., 1908, by the Department of Labour to the Board of Conciliation and Investigation, consisting of: The Honourable Alexander Dawson, Winnipeg, Mr. George R. Crowe, Winnipeg, Mr. F. H. Sherman, Taber, Alta.

The said Board begs to report that the majority of Board reports as follows:—

(1) We were unable to effect a settlement of the disputes between the employers and the employees:

(2) We do not feel called upon to give any opinion as to whether or not the Union should be recognized.

(3) We do not consider that the rate of wages in the Lignite Fields of Southern Alberta should govern the rate of wages in the Lignite Fields of Eastern Saskatchewan.

As to an eight-hour working day. from conversation with the employers and employees, and from the evidence given (a copy of which is sent herewith), there does not appear to be a general desire for same. The working of this mine must necessarily be conducted in a different manner from one which is worked for all or nearly all the year. There is practically no demand for the Bienfait Coal for a considerable portion of the year. During the summer the quantity of coal taken from the mine is very limited. It would not be desirable or even practicable to establish a rigid system of an eight-hour working day, besides the coal is of such a nature that it does not stand storage and at the season of the year when a somewhat heavy demand arises for this coal unless there is some elasticity as to the hours constituting



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a working day very considerable loss would arise to the employers, and we are not able to see that an eight-hour working day firmly adhered to would be in the best interest of the employees.

We recommend that the same rate of wages and contract mining rates be paid at the Manitoba and Saskatchewan Coal Company, Ltd. mine as prevail at the Taylorton and Roche Percee Coal mines.

Winnipeg, 26th day of November, A.D., 1908.

(Sgd.) A. DAWSON,  
G. R. CROWE.

## TEXT OF MINORITY REPORT.

MINOT, ALTA., Dec. 17, 1908.

TO THE HONOURABLE THE MINISTER OF LABOUR,

Ottawa, Ontario.

In the Matter of the Industrial Disputes Investigation Act, 1907, and in the matter of differences between the Manitoba and Saskatchewan Coal Company of Bienfait, Sask., and its Employees.

Submitted on the 22nd day of April, A.D., 1908, by the Department of Labour to the Board of Conciliation and Investigation, consisting of The Hon. Alexander Dawson, Winnipeg, Mr. George R. Crowe, Winnipeg, Mr. F. H. Sherman, Taber, Alta.

The undersigned acting as a representative of the Employees on the above Board begs respectfully to submit the following as a minority report.

The failure to bring about a settlement of the above dispute was chiefly owing to the arrogant attitude assumed by Senator Watson and his fellow directors. Their principal contention being that they refused to recognize the right of any labour union to make a collective agreement on behalf of their employees.

I regret that my colleagues upon the Board of Conciliation and Investigation failed to express their opinion one way or the other upon this important question, as affecting employers and employees. Every other Board upon which I have had the honour to serve has decided that the employees have a right to make a collective agreement through their respective unions.

I, therefore, say that the United Mine Workers of America should receive full recognition at the hands of the Company. No evidence was given to show that the Company were not making as much profit as the mines in the lignite coal fields of Southern Alberta, the work being very similar. The cost of living is little if any cheaper. I think that the same rates and conditions of labour should prevail at all mines competing in that same market.

I, therefore, recommend as a basis of settlement that an agreement should be made between the Company and the Union upon the same basis as the agreement now in force between the Western Collieries, Limited, of Taylorton, Sask., and the U.M.W. of A. All of which is respectfully submitted by,

Yours obediently,

(Sgd.) F. H. SHERMAN.



IV.—APPLICATION FROM EMPLOYEES OF THE WESTERN DOMINION COLLIERIES, LIMITED, OF TAYLORTON, SASK.—AGREEMENT CONCLUDED ON ALL POINTS.

Application received—March 16, 1908.

Parties concerned—The Western Dominion Collieries, Limited, and employees.

Applicants—Employees.

Nature of industry concerned—Coal mining.

Nature of dispute—Wages and hours.

Number of employees affected—90.

Date of establishment of Board—April 10, 1908.

Membership of Board—His Honour R. H. Myers, County Judge, Winnipeg, Man., Chairman, appointed on the joint recommendation of the other members of the Board; Mr. Jas. O. Hannah, Calgary, Alta., appointed on the recommendation of the employers; Mr. F. H. Sherman, Taber, Alta., appointed on the recommendation of the employees.

Report received—May 5, 1908.

Result of inquiry—Differences adjusted and agreement concluded before Board, effective from May 1, 1908, to May 1, 1909. Strike averted.

The questions at issue in this matter were stated in the application to be as follows:

Full recognition of the United Mine Workers of America; eight hours work per day; and standard wages of district No. 18, "as now prevailing in lignite fields of Southern Alberta." The Company in its reply insisted that the wage scale was practically the same as that which had been in use for five years, and was that in use in the Souris Coal fields, and submitted that uniformity of wages should govern in respect to the same class of work in the said area. The claim for increase was said to be based on the wage schedule as existing at Lethbridge, Alta., and Taber, Alta., where the coal was bituminous, whereas the coal mined by the present Company at Taylorton was lignite, and sold at an amount half the price of the products of the bituminous mines, this low price being one that would not allow of any increase in the cost of production.

The Board met at Winnipeg on April 16 and organized, meeting then successively on April 17, 18 and 20. On the evening of Monday, April 20, a joint conference was held between the members of the Board in the present case, and Judge Dawson and Mr. G. R. Crowe, members of a Board established to deal with differences between the Manitoba and Saskatchewan Coal Company and its employees at Bienfait, Sask., in the close vicinity of the scene of the present dispute, Mr. Sherman being a member of both these Boards. The two Boards proceeded together to Bienfait on April 29, and



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held joint sessions there with the object of reaching an agreement in each case. The discussion showed, however, that it was impossible to reach a joint agreement, and the Boards then proceeded separately. The final meeting of the Board in the present case was held on April 30. The evening session on this occasion extended until 3 a.m. on May 1, when an amicable agreement was reached on all points, and signed by both parties. The agreement included full recognition of the United Mine Workers of America, and the cessation of the check-off system. On all other points an arrangement was reached by mutual compromise. The text of the report and agreement follows.

## REPORT OF THE BOARD.

In the matter of the Industrial Disputes Investigation Act, 1907, and of a dispute between The Western Dominion Collieries, Limited, and the Employees of the said Company.

The Board of Conciliation and Investigation appointed herein under the provisions of the above named Act and composed as follows:—Frank H. Sherman, of Taber, Alta., recommended by the employees; James O. Hannah, of Calgary, Alta., recommended by the Company; and His Honour Judge Robert H. Myers, of Winnipeg, Man., appointed by the Minister of Labour as Chairman of the Board, beg to report as follows:—

By mutual agreement we met first in the city of Winnipeg on Thursday, the 16th day of April, 1908, at 10 o'clock in the morning, all the members of the Board being present. The members subscribed and took the oaths of office before His Honour Judge Walker and His Honour Judge Myers, Justices of the Peace.

The Board met each forenoon and afternoon of the 16th, 17th, 18th and 20th days of April endeavouring to bring about a settlement of the differences between the Company and its employees, which differences were ascertained to be briefly as follows:—

1. Recognition of the Union.
2. Hours of labour.
3. Rate of wages.
4. Employment of a check weighman.
5. Price of powder.
6. Re-instatement of discharged men.

The coal mine affected was at Taylorton, Saskatchewan, and during our conferences we became aware of the establishment of another Board with another chairman to endeavour to settle a similar dispute in the same coal fields between the Manitoba and Saskatchewan Coal Company, Limited, and its employees. This fact retarded our negotiations, although considerable progress was made. Mr. John R. Galvin and Mr. Sherman represented the miners, and Mr. R. R. Taylor, General Manager, and C. C. Symons, Mine Manager, represented the company at these conferences.

On Monday night, 20th April, 1908, the Board held a joint conference with His Honour Judge Dawson and Mr. G. R. Crowe, of the other Board, and we decided to go to the coal fields on Wednesday, 29th April, and endeavour jointly to effect a conciliation.

The two Boards proceeded to Bienfait, Saskatchewan, on the 29th April and held a joint meeting that evening.



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On Thursday, the 30th April, the Boards held a joint meeting at the mine, when it was plainly apparent that the Manitoba and Saskatchewan Coal Company had resolved to fight the Union and declined to confer with the officials of the U.M.W. of A., who represented all the men at the mine. The Boards, therefore, proceeded separately. Our Board met the officers of the Company and of the Union, and we made many efforts to induce the parties to come to a fair and amicable settlement. We adjourned until 8 o'clock p.m., when we again met at Taylorton and continued in session until 3 o'clock a.m. of the 1st May, when an amicable agreement was reached. The Chairman drew up the draft agreement, and it was duly signed in our presence, and a copy thereof is transmitted herewith. The Board met again in Winnipeg on Monday, 4th May, 1908, when the typewritten copies of said Agreement were produced and examined and signed.

The Board are unanimously of the opinion that the agreement effected is fair and reasonable under the conditions prevailing in these coal fields.

The Board having concluded its labours agreed upon the above report.

All of which is respectfully submitted.

R. HILL MYERS,

Chairman.

F. H. SHERMAN,

JAMES O. HANNAH.

Dated at Winnipeg, this 4th May, 1908.

#### AGREEMENT.

It is hereby agreed between the Western Dominion Collieries, Limited, of the first part, and the employees of the said Company as represented by the United Mine Workers of America, District No. 18, of the second part, as follows:—

1. This agreement covers the mines and outside plant operated by the said Company, and all persons accepting employment at these mines agree to be governed by the following rules and regulations:—

(a) In case any dispute or grievance arise under this agreement or any local agreement made in connection therewith, whether the dispute or grievance is claimed to have arisen by the Company or any person or persons employed, or by the men as a whole, then the parties shall endeavour to settle the matter as hereinafter provided. But before any grievances shall be submitted to the Pit Committee, the person or persons affected shall endeavour, by personal application to the Pit Boss, to settle the matter, and in the event of them agreeing, their decision shall be final.

(b) In case of any local dispute arising in any mine, and failure to agree between the Pit Boss and any employee, the Pit Committee and Mine Superintendent shall endeavour to settle the matter, and if they agree, their decision shall be final.

(c) In the event of the failure of the Pit Committee and the Mine Superintendent to settle any dispute so referred to them, as well as in the event of any other dispute arising, the matters in dispute shall be



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referred to the General Superintendent or General Manager of the Company and the Officers of District No. 18, U.M.W. of A., for settlement, and if they agree their decision shall be final. Should they fail to agree, it shall be referred to a joint committee, said committee to be made up of three operators appointed by the Company, and three miners appointed by District No. 18 of the U.M.W. of A., for settlement. If they agree their decision shall be binding upon both parties. A majority of the full committee must vote in favour of any action before it can be declared carried. In the event of a failure to agree, the committee shall endeavour to select an independent chairman, and failing to agree upon an independent chairman, the Minister of Labour shall be asked to appoint such chairman; the decision of the committee thus constituted shall be binding upon both parties. The joint committee, when necessary, shall meet on the second Monday of each month.

(d) In the meantime, and in all cases, while disputes are being investigated and settled, the miners, mine labourers and all other parties involved must continue to work pending investigation and until final decision has been reached, but where miner, miners, mine labourer or mine labourers has or have been discharged by the Company, he or they shall not remain in the employ of the Company while his or their case is being investigated and settled. If a claim be made within five days where a man or men has or have been unjustly discharged, the case shall be dealt with according to this article, and if it is proven that he or they have been unjustly dealt with, he or they shall be reinstated. If claim is made for compensation for time lost in cases where reinstatement has followed, it shall be left to the joint committee to decide what amount, if any, is to be paid.

(e) Any breach of this agreement by any of the parties hereto is not to void the said agreement, but same is to continue in full force and effect. It is not intended, however, by this sub-section to abridge the right of the men to suspend work after final settlement as herein provided, if any operator or operators refuse to be bound by any decision given against them under this article.

Provided, nevertheless, that the right to hire and discharge employees, the management of the mine, and direction of the working forces, are vested exclusively in the Company and the U.M.W. of A., shall not abridge this right.

2. No miner working at contract work on coal shall be allowed to hire labourers.

3. The Company agrees to give the U.M.W. of A. a full recognition and agrees to the check-off system, that is to say, upon the individual request in writing of any of the Company's employees, the Company shall deduct such monies from their wages as is designated for dues, assessment fines and fees, and pay same over to the payee of such orders.

4. The hours of labour for all outside men shall be 10 hours per day, and for all inside or underground men shall be 8 hours per day at their working place or at place of mine, as the case may be.

Provided, however, that in cases of emergency when the Company receive rush orders for coal the men agree to work overtime to enable the Company to fill such orders at the same rate of wages per hour for extra time as provided in the wage schedule hereunder.

5. The Company will grant the right of the miners to employ check-weighers and will grant the said check-weighers every facility to enable them to render a correct account of all coal weighed, and will allow the cars to be tared from time to time, and the machine to be properly tested from time to time, and will deduct from the wages of all contract miners



such amounts as individual orders may be presented for from time to time, and will pay over the same to the Secretary of the Local Union for wages of check-weighers. Provided that the check-weighers shall be taken from among the Company's employees.

6. SCHEDULE OF WAGES :

Hoisting engineer.....	\$ .31½	per hour
Firemen.....	65.00	per mos.
Box-car loader.....	.25	per hour
Dumper.....	.22½	"
Trimmer.....	.21	"
Tipple men.....	.2	"
Carpenters.....	.30	"
Blacksmith.....	.32½	"
Blacksmith (second).....	.22½	"
Cager.....	.25	"
Pumpers.....	.25	"
Drivers.....	.28½	"
Tracklayers.....	.28½	"
Tracklayers' helpers.....	.26	"
Timber men.....	.28½	"
Timber men's helpers.....	.26	"
Door boys.....	.12	"
Teamsters.....	.21½	"

Contract miners rates to remain as at present.

7. The price of powder, fuel and rents shall remain as at present.

8. This agreement shall commence from this 1st day of May, 1908, and terminate on the 1st day of May, A.D. 1909.

Signed and agreed to this 1st May, 1908.

(Signed) R. R. TAYLOR,  
General Mgr. Western Dominion Collieries, Ltd.

(Signed) C. C. SYMONS,  
Mine Manager.

(Signed) F. H. SHERMAN,  
President, District No. 18, U.M.W. of A.

(Signed) JOHN R. GALVIN,  
Vice-Pres. District No. 18, U.M.W. of A.

Witnesses:

(Signed) R. HILL MYERS,

(Signed) J. O. HANNAH.



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## V.—APPLICATION FROM EMPLOYEES OF THE CUMBERLAND RAILWAY AND COAL COMPANY, OF SPRINGHILL, N.S.—BOARD ESTABLISHED—NO CESSATION OF WORK.

Application received—March 25, 1908.

Parties concerned—Cumberland Railway and Coal Company, Limited, of Springhill, N.S., and employees.

Applicants—Employees.

Nature of industry concerned—Coal mining.

Nature of dispute—Wages.

Number of employees affected—1,600.

Date of constitution of Board—April 29, 1908.

Membership of Board—His Honour W. B. Wallace, County Judge, Halifax, N.S., Chairman, appointed by the Minister in the absence of a joint recommendation from the other members of the Board; The Honourable John M. Armstrong, North Sydney, N.S., appointed by the Minister in the absence of a recommendation from the Company; Mr. R. B. Murray, Springhill, N.S., appointed on the recommendation of the employees.

Report received—May 26, 1908.

Result of inquiry—Strike averted.

The application in this case was received from the officers of Mechanics' Lodge, No. 23, Provincial Workmen's Association, and set forth the following demands: (1) An advance on wages for repair work. (2) An advance on wages for No. 3 mine fanmen. (3) An advance on wages for Charles Roney, carpenter. (4) An advance on wages for Wilson Demmings, car inspector.

The Cumberland Railway and Coal Company, in a communication to the Department, stated that the Company would take no part in the proceedings in connection with the application, for the reason that the application was made contrary to the terms under which the members of Mechanics' and Pioneer Lodges resumed work on October 29 preceding, after a strike of thirteen weeks. The Company also set forth replies to the various grievances, taking exception in each case to the claims made. In the matter of repair work, figures were given to sustain the contention of the Company that it was paying higher rates than those paid for a similar class of labour at other mines. Special reasons were urged also against increases of wages being granted in response to the other demands. The Company refused to recommend a person for appointment to the Board. The Board having been duly established by the Minister, as above stated, began its sessions at Springhill on May 13, and heard evidence from representatives of the men, and on behalf of the Company, several officials of the latter being subpoenaed for the purpose. A few days later the Board met again at Halifax for further deliberation, and for the purpose of preparing a report. The findings of the



Board were signed by the chairman and Mr. MacDonald, and were adverse to the claims of the men on each point. The Board added a rider to its findings as follows, viz.:

“The Board deems it proper to add to its findings this statement—that the declaration in the ‘ultimatum’ issued by the General Manager of the Company last October, when the men returned to work, ‘that there cannot be any increase in wages in the district covered by the award now or later,’ would not in any way have interfered with a finding in favour of any of the applicants herein, if the evidence submitted to the Board justified such a finding.”

Mr. Murray, in a minority report, supported the claims of the men in several cases. In the matter of repair work, he held the ten men doing underground repair work to be entitled to the advance demanded, but as to the one man doing overground repair work, the claim advanced was not sustained, though an increase on this man’s present wages was recommended. In the case of the fanmen, Mr. Murray’s findings agreed with those of the Board. In the cases of Roney and Demmings, Mr. Murray recommended the increases demanded. The text of the report and minority report follows:—

#### TEXT OF REPORT OF BOARD.

In the matter of the Industrial Disputes Investigation Act, 1907, and of The Cumberland Railway and Coal Company, Limited, Employer, and certain employees of the said Cumberland Railway and Coal Company, Limited, Employees.

The Board composed of Mr. R. B. Murray, Hon. J. N. Armstrong and Judge Wallace, Chairman, met on the 13th day of May, 1908, at ten o’clock at a public hall in Springhill, the locality of the dispute between the above parties, and having taken the oath of office, proceeded with the reference.

The employees were represented by three of their number designated by Mechanics’ Lodge, No. 23, P.W.A., of which all the employees interested are members. Their case was conducted by them in a fair and upright way. The Company was not represented, having declined to take part in the reference, on the ground that the terms of an “ultimatum” issued by the Company during a strike last year were accepted by the present employees when they resumed work, and therefore acted as a bar to this inquiry. The Board sat in the morning and afternoon of the 13th, and during that time all the witnesses offered on behalf of the employees were examined and their examination concluded. At the close of the afternoon sittings, the chairman, after consultation with the other members of the Board, announced that the Board had decided, inasmuch as any decision to be finally given by the Board in this matter, would be entitled to greater weight if evidence were submitted by each party to the dispute, to subpoena the General Manager and the Manager of the Company. Accordingly the Board adjourned until ten o’clock, May 14th, and in the meantime the subpoenas were issued by the chairman and duly served. At the opening of the sittings on May 14th, Mr. J. R. Cowans, General Manager of the Company, and Mr. Hargreaves, Manager of the Company, were in attendance. Two other officials of the Company, Mr. David Stewart and Mr. Muirhead, were also present, and it appearing that Mr. Stewart, assistant to the General Manager of the Company, and



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Mr. Muirhead, Mechanical Superintendent, were more familiar with the points at issue than the gentlemen who had been subpoenaed, it was unanimously resolved by the Board to call Mr. Muirhead and Mr. Stewart as witnesses, and they were accordingly examined. The chairman informed the Lodge Committee that those witnesses could be cross-examined by them or any of them, and various questions in cross-examination were asked of each witness by the members of said committee.

The Board then adjourned, to meet at Halifax to consider the case and make a report.

The Board met at Halifax on May 18th, and sat from 10 o'clock until 4, with an hour's intermission at noon. The Board—a majority thereof—sat again from 5 o'clock until 6 o'clock, and again from 7 o'clock until 11 o'clock, deliberating and preparing a report. Considerable time was spent on subsequent days by individual members of the Board preparing the majority and minority report respectively.

The following are the findings of the Board:—

There are four classes of cases, "A," "B," "C" and "D," in dispute between Mechanics' Lodge, No. 23, P.W.A., and the Cumberland Railway and Coal Company, Limited.

Claim "A" is in respect to an advance of wages for repair work. There are two classes of men in the mechanical branch, working on repairs, viz., those who labour underground and those whose work is performed on the surface, the present rate of wages for the former class being 15 cents per hour, plus 22 per cent., and the rate for the latter class being \$1.20 plus 22 per cent. per day. The wage now asked for on behalf of this class of underground and surface work is a flat rate of \$1.85 per day of 8 hours for underground men and 10 hours for surface men.

Undoubtedly, the work in question is disagreeable and trying.

It is urged by the applicants, as a justification for the increase desired, that this class of work commands a higher rate of pay in some other collieries, and as proof of this contention, the schedule of rates applicable to the Dominion Coal Company's employees was put in evidence. In reply, the Mechanical Superintendent of the Cumberland Railway and Coal Company testified that this class of men were paid at a higher rate at Springhill for the same number of hours than the employees of the Dominion Coal Company. The tabulated statement marked "W" in the written answer of the company was also verified by the Assistant to the General Manager.

The applicants for an increased rate of pay seemingly regard this question of the rate of pay prevailing in other similar employment within the Province of Nova Scotia under similar conditions as affording a fair test to enable the Board to determine what would constitute a fair wage. Applying that test, which is generally a fair one, to the issue before the Board, and examining the whole of the evidence upon that question, the Board finds that the applicants in this class are paid at least as high a rate for the number of hours as men of a similar class employed by the Dominion Coal Company.

The Board finds that the applicants in this class have not established their claim to the desired increase.

Claim "B" is on behalf of the fanmen at No. 3 Mine. An objection was raised by the company in regard to this claim, and also in respect to the two following claims, that as the persons affected were less than ten in number, the act did not apply. The chairman ruled against this objection.

The present rate of wage for the fanmen per day of 12 hours is \$1.20 plus 22 per cent. They ask for a flat rate of \$2.00 per day of 12 hours. The Board finds that the work which they have to perform is work generally given to old and infirm employees. One of the claimants has been sick for



two years and could not perform any other work, and, therefore, applied for this work. The other claimant had a crippled leg and he requested a similar job. It was asserted on behalf of these men that workmen doing similar work for the Dominion Coal Company get a better rate of pay, but the Board finds that the employees doing this work at the works of the Dominion Coal Company have also the responsibility for the air compressors, and that their work is substantially different.

The Board therefore unanimously rejects this claim.

Claim "C" related to Charles Roney. It appears that he is in the same class and is paid at the same rate as ten others. They are not skilled workmen, but might be described as handy men. While there may be only a slight difference between this claimant and some of the men in the class just above him, the Board finds that the applicant in this case has not established his claim for the increased wage.

Claim "D" relates to the case of Wilson Demmings, car inspector. His wage is \$1.30 plus 22 per cent. per day. Applicants ask on his behalf a flat rate of \$2.00 per day, claiming that this is the rate which such class of work commands elsewhere. This employee has now the benefit of an assistant at his work, and the duties of Mr. Demmings have not increased since the increase of pay given him. It was amply shown by evidence to the satisfaction of the Board that Mr. Demmings is a painstaking, industrious and capable employee, but the Board cannot find that he has established his claim to the increased rate asked for by him.

The Board deems it proper to add to its findings this statement,—that the declaration in the "ultimatum" issued by the General Manager of the company last October, when the men returned to work,—"that there cannot be any increase in wages in the district covered by the award now or later," would not in any way have interfered with a finding in favour of any of the applicants herein, if the evidence submitted to the Board justified such a finding.

Enclosed herewith are the evidence and exhibits used in the reference.

Respectfully submitted,

(Signed) W. B. WALLACE,

(Signed) J. N. ARMSTRONG.

May 21st, 1908.

THE HONOURABLE RODOLPHE LEMIEUX,  
Minister of Labour,  
Ottawa, Ont.

#### TEXT OF MINORITY REPORT.

In the matter of the Industrial Disputes Investigation Act, 1907, and of a dispute between The Cumberland Railway and Coal Company, Limited, Employer, and Mechanics' Lodge, No. 23, P.W.A., Employees.

HONOURABLE RODOLPHE LEMIEUX,  
Minister of Labour,  
Ottawa,

Sir:

I have the honour to submit the following report with respect to the above reference.

It is with much regret that I cannot place on record the concurrence of my colleagues on the Board in the findings and recommendations I have arrived at in regard to the cases submitted under such reference.



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The Board, composed of His Honour Judge Wallace, Chairman; Honourable J. N. Armstrong and R. B. Murray, met at Springhill on Wednesday, the 13th May, 1908, at 10 a.m., after subscribing to the prescribed oaths of office and some introductory remarks by the chairman the taking of evidence was proceeded with.

The Secretary of the Lodge filed a certificate appointing Messrs. Fox, McInnes and Price as its representatives as provided by the Act. They seemed to have a carefully prepared brief of the evidence of each witness, and at the close of the first day's enquiry were complimented by the chairman on the creditable way in which they presented their case. The company was not represented at the first hearing, but later on in the enquiry subpoenas were issued by the chairman calling on the General Manager and Manager of the Company to appear and give evidence. They were present the following morning and requested that Messrs. Stewart and Muirhead, assistant to the General Manager and Mechanical Superintendent respectively, take the stand in the company's behalf. This they did, Mr. Stewart confining himself mainly to reiterating the company's statement in reply to the Lodge's claims, and Mr. Muirhead to a contention that the existing wages paid to the men on whose behalf the Act was primarily invoked, were as high as labour of a class commanded elsewhere. Messrs. Stewart and Muirhead were subjected to a mild cross-examination by the representatives of the Lodge, and were asked some pertinent questions by the members of the Board. This completed the taking of evidence, and the Board adjourned to meet again in Halifax on the following Monday. Conferences by the members were held in the morning and afternoon of that day in the chairman's office in the Court House. It shortly developed that the majority of the Board held totally opposite views with regard to the cases in dispute to that of the other member, although when the Board finally dispersed, the chairman freely admitted his mind was still open on one case, i.e., the "repairs rate case." It was decided, however, that the reports of the Board's findings should be forwarded to the Department, one, representing the views and recommendations of the majority, the other embodying the conclusions and recommendations of the minority member.

In the application for this reference, there were four cases set out as being in dispute between the Lodge and the company, these cases were designated in the application as follows:—

First case is in respect to an advance on wages for repair work.

Second case is in respect to an advance on wages for No. 3 fanmen.

Third case is in respect to an advance on wages for Charles Roney, carpenter.

Fourth case is in respect to an advance on wages for Wilson Demmings, car inspector.

Although the foregoing cases were not taken up by the Board in the order named it is the intention of the writer to discuss and report on them in successive following; therefore, the "repairs rate" shall be the first under consideration.

## FIRST CASE.

The evidence disclosed that in this employ there are at least two classes of repair work in connection with the mechanical branch, repairs to steam pipes and machinery underground and repairs to pipes and machinery overground, including cleaning of boilers. In the underground section there seems to be about ten men affected, and in the overground one man only, Andrew McCarren, claimed redress at the hands



of the Board. For the underground men, the witnesses, George McLeod and John Campbell, gave evidence which seemed conclusive, that their work was performed frequently in high temperatures, sometimes at 116 degrees, their hours were erratic, being subject to a call at any time during the night, when their day's work is over, and in addition to this, to use their own language, "we are frequently employed on Sundays." The present rate of pay for these men is 15 cents per hour plus 22%, their contention being that this rate is altogether inadequate for the class of labour they are called upon to perform. In view of their receiving no excess pay for their Sunday work or extra calls, as it appears is customary in other places in similar industries and on works where Sunday labour is necessary, and in view likewise of their having to work mostly under conditions and at a temperature which they claim is hazardous and must of necessity be prejudicial to health, the claim the Lodge is making in their behalf of 39c per day of eight hours extra surely cannot be considered an unreasonable one. The Company, through Mr. Muirhead, contends that these men are sufficiently paid already. This is natural, and usually the plea put forward in such cases by employers, but it does not lessen the fact of the soundness of the men's claim notwithstanding. To emphasize the reasonableness of the Lodge's contention, they put in evidence a telegram from the General Manager of the Company wherein an express promise was made that under certain conditions this matter of repair rates would be adjusted to the satisfaction of the men interested. The Company now repudiate that telegram, or as Mr. Stewart puts it for them, "The whole thing is now off."

So convinced am I that the Lodge has made their claims and contentions good with regard to this underground repair work, I have no hesitation whatever in recommending that men at this class of work should be paid a flat rate of \$1.85 per day of eight hours, my conviction is, taking all the circumstances into consideration, any jury in the land should award them at least this amount.

With respect to the other class of repair work with which Andrew McCarron alone is interested, this man swears he is at present and has been for the past sixteen months, employed in the class of labour known as overground repair work and tending engines and boilers at the machine shop and No. 1 mine, his duties also consist in cleaning boilers at No. 2, 3 and Aberdeen mines. His present rate of wage is \$1.46 per day, and in the Lodge's application a request was made on his behalf for \$1.85 per day. His evidence shows that when he is occasionally taken from his usual work of repairs and boiler cleaning and put to tending engines and boilers, he has been paid the rate of wage which such latter work calls for, and which is in excess of the pay he receives when at the former class of labour. Beyond a doubt, the cleaning of boilers is hot and very dirty work, and \$1.46 appears a very small day's pay for the performance of it. McCarron has frequently to be in charge of two or three men and receives only 6c per day more than they do. Is it not fair to assume that the man who directs should get more than 36c per week over the men who are directed?

The company, through Mr. Muirhead, seem to have little to say with respect to this case. It was admitted the work of cleaning boilers was dirty, but nothing was said by this witness that would indicate that the claim made on behalf of McCarron was an unfair one. This may have been an oversight on Mr. Muirhead's part, but should not now be pleaded to the prejudice of McCarron. It may be safely inferred, however, that McCarron cannot be classed as a skilled labourer in the same sense as the underground repair men, nor could he, if called upon to do so, be able to



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perform the same grade of work as McLeod and Campbell and the others who have Winfield McInnes as their leading man. On that account, and for the further reason of the trend of the evidence, I cannot uphold the Lodge's claim of \$1.85 per day for this man, but strike a medium and recommend that his pay should be increased from \$1.46 to \$1.65 per day of ten hours.

## SECOND CASE.

Concerns two men, Arthur Cooke and John D. Cameron. These men are employed as fanmen at No. 3 mine, they work on twelve hour shifts opposite to each other. From the evidence, it seems their work consists in the main in constant attendance on their engines, and the principal feature of it is its monotony. The job under the law requires the holders to be possessed of certificates of competency. Cooke and Cameron's pay is at present \$1.46½ for twelve hours, the Lodge has asked on their behalf \$2.00 for the same time. The Company take very strong exception to this case, and claim that it was work suitable only for broken down or worn out men, and was given to Cooke and Cameron "simply because they made application, and if they are able to perform other duties, there is a good job open to them." Mr. Muirhead further stated that a boy ten years old could do equally as well the work that is necessary.

Taking this matter into long consideration and viewing it as I have from every aspect and with a full knowledge of the responsibility it involves upon me, I am led to the conclusion that in a spirit of fairness I cannot do otherwise but recommend that the prices for this class of labour remain as at present, but this recommendation is not to be treated as a precedent for future demands by the Lodge or individuals employed at it, for an increased pay in respect to it.

## THIRD CASE.

This relates to a demand for an increase of pay for Charles Roney, a carpenter, from \$1.40 plus 22% to \$1.60 plus 22%. The evidence goes to show that Roney has been engaged for fifteen years or more at the carpenter trade; he works side by side with two others who receive \$1.60 plus 22% and does exactly the same class of work as they perform; he swears he is equally competent as they, working at finishing houses, making trolleys, wood wagons, mine cars, etc. He swears also the work is all alike, that of one being no better or worse than the others. The witness, Anthony Johnson, corroborates Roney's testimony in nearly every particular, and swears Roney is a competent and efficient carpenter, and conscientiously says that his present rate is inadequate for his services and not in accordance with other carpenters in the employ who receive \$1.60 plus 22% per day, and further from his knowledge of Roney's ability and that he does exactly the same class of work as the two others referred to, he should receive the same wage as they. The Company make reply to this by stating that Roney is not a tradesman, and name him as a "handy man," and in the same class as ten others. Mr. Muirhead swears that Roney is on a par with the ten men referred to and that they are not skilled workmen. Inasmuch as Roney is not in Mr. Muirhead's department, not much credence should be given to the latter's evidence; it was evidently made in good faith, but must, of necessity, be largely hearsay and not from a personal knowledge of the facts. That Roney is a trades-



man in the broad sense of the word can hardly be doubted, and to classify him with the box repairers on the bank heads is unfair. The telegram from the General Manager hereinbefore referred to contains this clause, "Charles Roney's claim will be considered when work is resumed as well, and if he is entitled to the wage he requests, the same will go into effect from the 16th instant (i.e., August, 1907)." The question then arises has the Lodge proved that Roney is entitled to the wage he requests, or should the mere *ipse dixit* of the Company be taken that he is little better than a wood butcher? It strikes me the only fair and tenable ground for me to stand on with respect to this third case is to recommend that Charles Roney receive a daily wage of \$1.60 plus 22%, and I so recommend accordingly.

#### FOURTH CASE.

As stated in the application, "is in respect to an advance on wages for Wilson Demmings, car inspector." Here is a man who has been in the employ for fourteen years, sober, painstaking, careful and industrious, with the lives of the travelling public and valuable rolling stock committed to his care, a letting up of vigilance on his part would result in loss of life and property, and yet his pay only amounts to the meagre sum of \$1.58½ per day. He swears that during all the time he has been car inspector, there has never been a case where an accident has occurred through any neglect on his part; he also swears he has tried on various occasions to get consideration by way of increased pay, and they (the company) gave him the impression they would consider it favourably. Demmings' evidence is reinforced in a most convincing way by that of George Watt, I.C.R. car inspector at Springhill Junction, who, among other things says that Demmings' duties are practically the same as the duties of a car inspector on the I.C.R. For such work as he (Demmings) has to perform, they would receive \$2.00 per day on the I.C.R. for 10 hours. The witness also testified that considering the duties Demmings is called upon to perform, the sum asked (\$2.00) is quite reasonable.

The company, as in Roney's case, set up the plea that Demmings is being sufficiently paid already, and Mr. Muirhead, who, although he testified to having nothing to do with Demmings, not being in his department, sought to break down the weight of Mr. Watt's evidence by making a comparison of the work of the latter with that of Demmings, which is not the case in point at all. Watt is the head car inspector at the Junction, and receives 24c per hour and extra pay for overtime and night work. The proper comparison should be with the men under Mr. Watt, who receive 20c per hour, and for night work time and a half, and whose work is identical with that performed by Demmings.

The evidence tendered by the Lodge in support of this claim is to me so convincing, I have no hesitation whatever in arriving at the decision that they have made out a case. I accordingly recommend that Wilson Demmings shall have his present rate of wage of \$1.58½ per day increased to that of \$2.00 per day of ten hours.

The company, in their reply to the application, contend as regards cases 2, 3 and 4, there being less than ten men affected, the Act does not apply and the Board would have no jurisdiction to hear and determine them. They have made the same objections before previous Boards. If there is anything in the contention it should be known, and if there is nothing in it, it should also be known. I have always taken a contrary view, and in support of my opinion quote a decision from the Honourable the Minister of Labour, governing the matter:—



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“ My understanding of section 21 of Industrial Disputes Investigation Act is, that if the number of employees directly or indirectly affected by a dispute is ten or more, the dispute may be referred to a Board, though the parties to whom it may directly relate are fewer in number than ten. If the failure to effect a settlement in regard to a matter affecting only six men is likely to result in ten or more being immediately or subsequently affected, the reference of such a dispute would in my opinion come very properly within the provisions of the Act.”

(Signed)      RODOLPHE LEMIEUX,  
Minister of Labour.

In submitting a minority report of a previous Board, I took occasion to insert therein the following words, “It is the earnest hope of the undersigned that the finding of the Board in the cases which have been investigated will be cheerfully acquiesced in and agreed to by the parties interested.”

Seeing that since those words were written there have been two Conciliation Boards convened in Springhill, in both cases the award being given against the Company, and each finding totally ignored by them, it would appear to me to be unfair to repeat the quoted words in this instance; yet it is my belief it can be safely anticipated the employees will do nothing in the premises to lessen their dignity or jeopardize the confidence which the public has in them.

It can be said with a certainty for the Company, judging by past experience, the present award being in their favour will be received and accepted with jubilation, and my exception to case No. 2 in this reference will no doubt be quoted in the future *ad nauseum*.

I have the honor to be, Sir,

Your obedient servant,

(Sgd.)      R. B. MURRAY.

Dated at Springhill, N.S., 21st May, 1908.



VI.—APPLICATION FROM EMPLOYEES IN THE MECHANICAL DEPARTMENTS OF THE CANADIAN PACIFIC RAILWAY COMPANY—BOARD ESTABLISHED—EMPLOYEES AT FIRST REFUSED TO ACCEPT FINDINGS AND CEASED WORK—RECOMMENDATIONS OF BOARD FINALLY ACCEPTED, EMPLOYEES RETURNING TO WORK.

Application received—April 28, 1908.

Parties concerned—Canadian Pacific Railway Company and various trades in its mechanical departments.

Applicants—Employees.

Nature of industry concerned—Railways.

Number of employees affected—8,000.

Date of constitution of Board—May 13, 1908.

Membership of Board—Mr. P. A. MacDonald, Master in Chambers, Winnipeg, Chairman, appointed by the Minister in the absence of any joint recommendation from the other members of the Board; Mr. C. P. Fullerton, Winnipeg, appointed on the recommendation of the Company; Mr. James Somerville, Toronto, appointed on the recommendation of the employees. Mr. Fullerton having withdrawn from the Board before its investigation had been concluded and the Company not recommending a substitute, Mr. G. F. Galt, of Winnipeg, was appointed by the Minister to succeed Mr. Fullerton.

Report received—July 16, 1908.

Result of enquiry—Employees refused to accept findings of Board and ceased work on August 5; the employees returned to work on October 5, accepting the Board's recommendations.

The locality of this dispute was stated in the application to be along the Eastern and Western lines of the Company, but the original application set forth the dispute only in the case of the employees on the Western lines, the trades enumerated in the application as concerned being as follows:—boilermakers, Eastern and Western lines, members of the Brotherhood of Boilermakers and Iron Shipbuilders of America; machinists, Eastern and Western lines, members of the International Association of Machinists; iron moulders, Eastern and Western lines, members of Iron Moulders' Union of North America; blacksmiths and helpers, Fort William to Vancouver, members of the International Brotherhood of Blacksmiths and Helpers; boilermakers' helpers, Fort William to Broadview, members of Boilermakers' Helpers' Union No. 127; specialists and helpers of various trades mentioned, Western lines, members of Federal Unions Nos. 12, 14 and 15; specialists and helpers of various trades mentioned, Pacific Division, members of Federal Union No. 23; machinists' helpers, members of Machinists' Helpers' Union No 12610, all in



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the employ of the Canadian Pacific Railway Company. It was estimated by the applicants that the number of persons affected was 1,770 directly and 1,600 indirectly.

The nature and cause of dispute were set forth in the application as follows:—

“On April 1st instant, Canadian Pacific Railway Company served notice of its intention to cancel on May 1st prox., the agreements existing between it and the employees in its mechanical department on Western lines, the said employees being organized according to the different trades represented by them as hereinbefore stated. In effect, the said notice provided for (i) contemplated reduction by Company of wages on and after May 1st. This is borne out by the fact that a number of employees affected by said notice have since received further notice of reduction in wages to take effect May 1st; (ii) cancellation of articles covering trade protection; (iii) cancellation of articles covering rights of committees of employees to meet Company's officers on behalf of men; (iv) removal of restrictions on number of apprentices, and the cancellation of clauses covering advancement of apprentices. The employees object to cancellation of existing agreements and contend that such agreements should continue to remain in force.”

The employees stated that the action of the Company in giving such notice constituted an attempt on its part to deal with sections of particular trades at different times, and is intended to weaken, and has the effect of weakening unfairly, the position of the employees in their negotiations with the Company. The employees further claimed that it was the intention of the Company to cancel existing agreements on Eastern lines as soon as differences on Western lines were settled. The employees maintained also that agreements on both Eastern and Western lines should be considered and settled at one and the same time.

Notice was given to the Company on behalf of employees, members of International Association of Machinists and Brotherhood of Boilermakers and Iron Shipbuilders of America, of their desire to amend at the present time existing agreements on Eastern lines, because they believed, they so said, that it would be only a short time until the Company asked for such amendment.

The said employees, machinists and boilermakers each have one organization covering employees on Company's entire system, all of whom expressed their intention of ceasing work in the event of the Eastern agreements not being considered with, and at the same time as Western agreements, or in the event of differences *re* agreements on Western lines not being satisfactorily adjusted.

The parties signatory to the application were the following, namely:—

W. McFarlane, President District No. 30, Boilermakers and Iron Shipbuilders of America; William Henry, Secretary-Treasurer District No. 30, Brotherhood of Boilermakers and Iron Shipbuilders; Bell Hardy, President, and James H. McVety, Secretary, District No. 34, International Association of Machinists; Osborne L. Wark, President, and William Mossop, Secretary, Iron Moulders' Union; William Marshall, Chairman, and Robert Anderson, Secretary, Blacksmiths' and Helpers' Committee; Thos. Gray, Chairman, and



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James Moore, Secretary, Boilermakers' Helpers; Edward Taylor, Chairman, and John Chapman, Secretary, Federal Unions 12, 14 and 15; Bell Hardy and Jas. H. McVety, representing Federal Union No. 23 and Machinists' Helpers' Union 12610.

The Board was duly appointed, and the enquiry was commenced on May 18. Shortly afterwards, the question arose whether the investigation should include the Eastern as well as the Western lines. The chairman, after having allowed an argument on this point by counsel before the Board, decided that it was impossible to adjust the dispute of the Western lines without at the same time enquiring into conditions with relation to the Eastern lines, and the chairman so reported to the Minister. Mr. Fullerton thereupon withdrew from the Board, and Mr. Galt was appointed as above stated. The enquiry was resumed on June 3, and continued until July 8, the Board proceeding to Moosejaw, Sask., on June 22, to take evidence there, and returning and resuming sessions at Winnipeg on July 2.

The Department received from the applicants on June 8, a request that the original application might be amended by including within the scope of the Board's investigation the Western carmen, and this request being supported by the usual statutory declaration, was complied with.

The investigation was by much the longest and most exhaustive held under the Industrial Disputes Investigation Act, the Board hearing evidence freely on the various points brought before it, several of which were of a technical or complicated nature. The decision of the Board that the Eastern lines came within the scope of the investigation made the number of those directly or indirectly concerned in the dispute much larger than the original estimate, the increased number being placed at about eight thousand. Several important officials of the labour organizations concerned were present throughout the proceedings, as also were some leading officials of the Canadian Pacific, Western division.

The communications received from the Canadian Pacific with reference to the findings of the Board were as follows, being from representatives of the Western and Eastern managements respectively:—

FROM THE WESTERN DIVISION, C.P.R.

Winnipeg, July 24th, 1908.

(At Banff.)

F. A. ACLAND, ESQ.,

Secretary, Department of Labour,  
Ottawa, Ont.

Dear Sir,—

I am in receipt of your letter of the 20th inst., enclosing majority and minority reports of the Conciliation Board, the majority report being, I assume, the report of the Board.

From the evidence submitted of facts as they existed prior to and at the time of the meeting of the Board, the Company expected a decision fully upholding the views and contentions of the Company. In so far as



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the decision does not do so, it is not satisfactory to the Company, and although the Company still contends that the position it took and the views it held and contended for are in their entirety correct, nevertheless, for the purpose of assisting in carrying out the spirit of the Act, the Company will accept the decision of the Board.

I accordingly telegraphed you to-day as follows:—

“Your letter of 20th instant enclosing majority report of the Conciliation Board received. While such report does not find in favour of the Company a number of its well founded contentions, and is not to that extent satisfactory to the Company, nevertheless, to assist in carrying out the spirit of the Act, I accept that portion of the decision relating to matters on Western lines, and will confirm by letter.”

This I now beg to confirm.

Yours truly,

(Sgd.) W. WHYTE,  
Second Vice-President.

FROM THE EASTERN DIVISION, C.P.R.

Canadian Pacific Railway Co.,  
Eastern Lines,  
Office of the General Manager,

Montreal, July 29th, 1908.

F. A. ACLAND, ESQ.,  
Acting Deputy Minister of Labour and Acting Registrar of Boards of  
Conciliation and Investigation,  
Ottawa, Ont.

Sir,—

In the matter of the Industrial Disputes Investigation Act, 1907, and in the matter of certain differences between the Canadian Pacific Railway Company and Employees of its Mechanical Departments.

Adverting to the report to the Honourable the Minister of Labour of the Board of Conciliation and Investigation established for the adjustment of differences between the Canadian Pacific Railway Company and certain branches of its mechanical departments forwarded with your letter on the 20th inst., and acknowledged by Mr. Beatty on the 21st inst., I beg to advise you that under all the circumstances, and with a view to complying with the spirit of the Act, this Company is prepared to accept the recommendation of the majority of the Board so far as these recommendations are applicable to the Company's Eastern lines.

You have already received from Mr. Wm. Whyte, this Company's second Vice-President at Winnipeg, an intimation that the report of the Board will be accepted by him on behalf of the Company's Western lines, and while we consider that the Company's contentions have not in some



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respects been given full consideration by the members of the Board, we are prepared to accept it in toto in order that the work of the Board may not be rendered nugatory and the object of the Act thereby defeated.

We are also prepared to accept the suggestion of the Board that its recommendations be given effect to as and from the first of August prox.

I have the honour to be, Sir,

Your obedient servant,

(Sgd.) J. W. LEONARD,  
General Manager.

FROM THE EMPLOYEES.

The Department received, on July 31, the following telegram on behalf of the employees:—

“ Winnipeg, Man., 31st July, 1908.

“ REGISTRAR BOARDS OF CONCILIATION AND INVESTIGATION, DEPT. LABOUR,  
“ Ottawa, Ont.

“ Findings of Arbitration Board on C.P.R. disputes not acceptable to employees on either Eastern or Western lines.”

“ THOS. J. MURRAY.”

On August 5, a strike on the part of the employees affecting about 5,000, and extending throughout the Canadian Pacific Railway system was commenced and continued during the months of August and September. On October 5, the following telegram from the representative of the employees was received by the Minister of Labour:—

“ Winnipeg, October 4, 1908.

“ MINISTER OF LABOUR,  
“ Ottawa.

“ Employees of Canadian Pacific Railway have decided to accept award of Conciliation Board.

“ (Signed) BELL HARDY.”

The following message was sent in reply, and a copy of the message received on behalf of the employees was immediately telegraphed to the employing Company:—

“ Ottawa, October 5, 1908.

“ BELL HARDY,  
“ Winnipeg, Man.

“ I am directed to acknowledge your telegram to Minister stating employees of Canadian Pacific Railway have decided to accept award of Conciliation Board and to express Minister's satisfaction that the dispute between the Company and its employees has terminated.

“ (Signed) F. A. ACLAND,  
“ Acting Deputy Minister of Labour.”



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In a circular letter, issued under date of October 5 from Winnipeg, Man., from the headquarters of the joint committee representing all trades in the mechanical and car departments, and which had had charge of the strike, the same being signed by Mr. Bell Hardy, Chairman, Mr. J. H. McVety, Secretary-Treasurer, and other members of the Committee, the strike was ended by an arrangement between the Company and the Committee on the following basis, namely:—

“ 1. Men to advise the Department of Labour of the acceptance of the terms of the award;

“ 2. Strike to be called off East and West.

“ 3. Company to take all reasonable means to find employment for the strikers and to take measures to prevent any discrimination.”

It is understood that the striking employees returned to work immediately at various points along the system, so far as the Company was able to find positions for them, and that when the period covered by the findings of the Board was completed on May 1, 1909, that an agreement was concluded by the mutual consent of the parties affected in relation to the wages and conditions of employment during the ensuing year.

## REPORT OF THE BOARD.

The text of the report of the Board, signed by Messrs. P. A. MacDonald, Chairman, and G. F. Galt, is as follows:—

In the matter of the Industrial Disputes Investigation Act and certain of the employees of the Canadian Pacific Railway Company.

We, the members of the Board of Conciliation appointed to inquire into this matter, beg to report as follows:

Following the interim report\* of the Board, as originally constituted, Mr. G. F. Galt having been appointed by the Honourable the Minister of Labour under Section 48 of the Act, to fill the vacancy caused by the withdrawal of Mr. C. P. Fullerton, the Board, as at present constituted, met on the third day of June, 1908, and on the fourth day of June, 1908, began the taking of evidence at Winnipeg upon the various questions before them.

On the twenty-second day of June the Board proceeded to Moose Jaw, Saskatchewan, to hear evidence there, returning and resuming its sittings at Winnipeg on the second day of July, the evidence being finally concluded on the eighth day of July.

After further negotiation and discussion, the Board is enabled to find as follows:—

The dispute in question arose from the action of the Canadian Pacific Railway Company notifying its employees in the mechanical department on the Western Division of its road, of the termination of certain agreements, which were then in force, and which fully embraced the relations between the Company and these particular employees.

In substitution therefor, the Company presented a set of Rules for the government of its employees in the several trades.

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\* The reference is to a communication from the Chairman to the Department, under date of May 21st, setting forth the circumstances relating to the retirement from the Board of Mr. Fullerton.



The differences between the agreements in force and the rules proposed are as follows:—

1. Rule as to the definition of the machinists and boilermakers.
2. Rule as to the method of dealing with grievances.
3. Rule as to the proportion of apprentices to journeymen in each trade.
4. Rule as to the method to be employed for reducing time in shops, where a reduction in the amount of work to be done necessitates either the cutting down of the staff, or the shortening of the hours of labour.
5. Rule as to the make-up of the crews required in cases of wrecks.
6. Rule as to the hours of labour in roundhouses.
7. Rule regarding the duties of helpers to machinists.

Taking the questions in the above order, the Board finds:—

1. That the definition of the Machinists' Trade should be altered by eliminating the clause, "Drill presses, where a boring or facing tool is required, shall be operated on such work by machinists or apprentices."

2. For the old definition of a boilermaker, the Company submit the following:—

First-class Boilermakers to do testing, laying-out, fitting-up and patching.

Second-class Boilermakers to do rivetting, caulking, stay-bolting and tender work.

Tubers, front end and back end.

Netting and ashpan men.

On this question the Board finds in favour of the Company. The result of this finding being to add a class, No. 2, to this trade, it becomes necessary to fix a rate therefor, and the Board accordingly fixes such a rate at forty cents per hour.

On the question of the disposition of grievances, the Company at first claimed that no committees should be recognized, but during the progress of the proceedings submitted that they would be satisfied to allow a clause similar to the provision in the agreement between the Engineers and the Company.

The Board finds that the men have abundantly proved that they are entitled to committee representation, and recommends the adoption of the following clause as effective, fair and just:—

"Employees having grievances, either specific or of a general nature, may present the case to his proper officer. If investigation is desired, the aggrieved party or another employee representing him, may, during work hours, arrange with the foreman for same. Investigation to be held within forty-eight hours after such application, and in case a satisfactory adjustment cannot be made, the case may be referred to the next higher officer of the Department until the manager is approached. If, after investigation, the employee is found blameless, he will be paid for all time lost."

In all the trades the proportion of apprentices to journeymen has been fixed at one to five, and one for the shop. The evidence adduced before us shows that in all trades, excepting that of the machinists, there is no injustice being worked on either side, because the number of applicants for positions does not exceed the ratio provided.

In the case of the machinists, the evidence is that a large number of applicants are prevented from learning this trade by reason of the limitation contained in this rule. Evidence was given to show that the work in the shops would not permit of a larger number of apprentices obtaining a proper knowledge of this trade. But this Board is of the opinion that the



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proportion might be enlarged and made one to four, and one for the shop, without injuring the education of such apprentices, and that the necessity for skilled labour, and the desirability of retaining and developing the boys of the country, rather than importing foreign mechanics, are features which compel attention and justify the Board in favouring this increase.

The rule regarding the reduction of expenses, at present in force, provides for a reduction in time of the whole staff, all the men being satisfied to accept a proportionate reduction in their earnings rather than that any should be discharged.

The company wish to abolish this provision entirely, in order to permit of a reduction of the staff, but retaining the full day's work for those remaining in the employment.

This Board recommends that no change be made in this rule.

By rule in the Machinists' Schedule, it is provided that in case of wrecks, where it is necessary to disconnect or replace engines on track, two machinists shall accompany the wrecking crew. The company claim that this clause should be taken out, and on this point the Board find in favour of the company.

The company asked to have changed the rule with regard to the working hours as applied to roundhouses.

At present, work begins at 7 a.m. and ends at 17 o'clock. It is proposed that the men shall work in shifts, some beginning at 7 a.m., as at present, and ending at 17 o'clock, and others commencing at 8 a.m. and ending at 18 o'clock. The object of this change is to secure continued work in the roundhouses, with a diminution in overtime, a similar arrangement to apply to night men.

No good reason being advanced against this proposal, the Board recommends that this change be made.

The company ask that helpers to machinists should be allowed to use tools, under the direction of the machinists. The Board is not able to recommend this change.

It is the understanding of the Board that, except in so far as the present schedules are altered by the rulings as above, they shall continue in force.

At the time when this Board was constituted, the differences between the company and the employees on the Eastern division of the road as to the details of their schedules had not been presented for consideration. Subsequently, the differences having reached a stage where the provisions of the Act could be invoked, application was made to the Department to have the Board deal therewith, the Minister of Labour, by letter, referring the matter to the Board, if, in its discretion, the questions could properly be decided at the same time with those already under consideration.

The questions above reported upon are questions which are in dispute between the company and the men in the East equally with those on the Western division, and this Board recommends that its findings should apply to the persons interested in the dispute in the East.

One other question remains for disposition, affecting only the employees on the Eastern Division, that is, the question of the right to a nine-hour day, instead of a ten-hour day, with the rate of pay increased to make the earning capacity of the men under the nine-hour day equivalent to that under the ten-hour day provision.

The position of the Company as presented to us on this question is, that if the companies who are their competitors in business grant the nine-hour day in the East, that they will raise no objection to granting this application of their men.



This statement of the company coupled with the knowledge of the Board, that the present conditions of business in this country are not such as to justify employers in increasing wages, enables this Board to dispose of that question by refusing to recommend that the change asked for be allowed. But this Board desires to express its confidence that the Company will, as soon as they may, without injustice to themselves, change the working hours of their men from ten to nine hours a day, with a corresponding increase in pay, along the Eastern Division of its road.

The question of the method to be adopted in the framing of agreements between the Company and the men, whether the Eastern Division and the Western Division should be treated with at the same time, is one presented to the Board for consideration.

After thorough discussion, it appeared that the wishes of the men were to deal by single committee with all trades at the same time and place.

The company have explained that they have no objection to dealing with the men through one committee, but that on their part it will be necessary that this committee should meet with the officials of the company having to do with Western interest, at Winnipeg, and with the officials of the company having jurisdiction over its Eastern matters at Montreal.

The differences between the two parties to this reference, as above set forth, is so slight that the Board feels justified in holding that the schedules should be arranged by negotiations at Winnipeg and Montreal, to be consummated at a time agreed upon.

During the progress of the reference, a further application was received from the carmen, employees of the Company, to be included amongst the employees interested in these proceedings.

The question was referred by the Minister of Labour to the Board for their consideration, and the company agreeing thereto, it is considered that the Carmen are entitled to the benefit of the findings of the Board as above.

The Company, in the event of their position with regard to the abolition of the flat rate not being upheld, claim a decision of this Board, that the flat rate should be reduced to the extent of two half cents per hour, and they have given evidence showing that the rate at present paid by the Company to their employees is higher than men outside the service of the Company are able to obtain.

However, in the answer of the company to the Registrar, it is stated that under the sliding scale proposed, approximately ninety-five per cent. of the employees would receive the same wages as they are now receiving.

The Board, therefore, does not feel called upon to give any recommendation for a reduction in rates.

It is recommended that the settlement should commence on the First day of August A.D. 1908, and should continue until the First day of May A.D. 1909.

(Sgd.) P. A. MACDONALD,  
Chairman.

(Sgd.) G. F. GALT,  
Arbitrator.

Dated at Winnipeg, in the Province of Manitoba, this Sixteenth day of July, A.D. 1908.



## THE MINORITY REPORT.

The text of the minority report, signed by Mr. James Somerville, is as follows:—

Minority report as to the finding of the Board of Conciliation appointed to investigate the differences existing between the Canadian Pacific Railway Company and certain of its employees.

I, James Somerville, being unable to agree to the findings of the Board as submitted to the Department, beg to report as follows:—

1. (a). Taking the questions in the order set down in the report, I submit that: The operation of a boring bar in boring and turning on any kind of a machine where sizing is to be done being recognized generally as machinists' work, no good purpose can be served by eliminating the specific clause. The evidence of the company has not shown any great advantage to be gained, while on the other hand, unnecessary disputes may arise through the change.

1. (b). There is no justification in fact for the grading of boiler-makers to what is termed class No. 2. The evidence before the Board all goes to show that in general practice a boilermaker is a boilermaker, competent to do any part of boilerwork, although in some instances the work is classified for the purpose of increasing the output. In such instances the evidence showed overwhelmingly that a flat rate prevailed in railway service without distinction as to what grade of work a boilermaker might be doing.

The classification proposed tends to increasing the number of what is termed "Specialists"—men with a knowledge of only part of a trade—and a corresponding decrease in the number of allround mechanics. It places in the hands of foremen as powerful a weapon as the "Sliding Scale" and may be used just as unscrupulously.

The Board finds against the sliding scale and against a reduction in wages, but the introduction of this classification effects both, and is therefore misleading to the public.

For instance:—

Taking the evidence of the company's witnesses and Typewritten Exhibits, 19 Boilermakers out of the 36 employed in the Winnipeg shops, over 50 per cent., are reduced  $3\frac{1}{2}$  cents per hour immediately.

Actual practice under the proposed classification reduces the number of what is termed First Class Boilermakers to 8 in the Winnipeg shops, which means that at least 70 per cent. of the total employed can be reduced to the Second Class with a  $3\frac{1}{2}$  cents per hour cut in wages.

The evidence of the company went to prove that not more than 4 of the First Class will be recognized in outside shops such as Moose Jaw and Fort William.

At this ratio 22 out of the 30 men employed between Fort William and Broadview in the boiler trade, or over 70 per cent., are cut  $3\frac{1}{2}$  cents per hour.

Between Broadview and Kamloops, of the 52 men employed, 38 or 70 per cent. are cut  $5\frac{1}{2}$  cents per hour.

Kamloops to Vancouver, where 11 men are at work, 7 or approximately 70 per cent. are reduced  $4\frac{1}{2}$  cents per hour.

The same classification carried into effect on the Eastern Lines as recommended by the Board, means a sweeping reduction among the boiler-makers there.



The principle once admitted can be carried into any and all trades, destroying the men's earning powers through the lessening of the skill required to do a particular part of the boilerwork or a single part of what goes to make up what is recognized as a skilled trade. The allround workman so much in demand at the present time will pass away entirely as he becomes less a man and more of a machine.

The finding of the Board in this respect is a contradiction to other findings in the report—absolutely unfair and misleading.

My report is against any change in the definition of a boilermaker.

## 2. Adjustment of grievances:

I submit the following as fair and equitable:—

Employees having grievances, either specific or of a general nature, may present his case to the proper officer. If investigation is desired, the aggrieved party or the chairman of the Shop Committee, may, during shop hours, arrange with the foreman for a meeting with the Shop Committee. If immediate investigation is not desirable, the foreman will remove as far as possible the cause for dispute, pending the investigation, which must be held within 24 hours after such application. If a satisfactory adjustment cannot be made, the case may be appealed to the highest officer.

If, after an investigation, a man is found to have been unjustly discharged or suspended, he shall be reinstated and paid for time lost.

In connection with this article, there is one subject upon which the Board is silent, and which in my judgment should be commented upon in no measured terms.

When a grievance or dispute arises between a foreman and an employee under his charge, it is the practice for the foreman to first tell his story to his superior, who afterwards hears what the aggrieved or committee has to say. The foreman is not called upon to face the accused, or accuser, as the case may be. The investigation thus becomes a farce.

Instances were given before the Board of investigation being refused in order to protect the foreman from exposure.

This condition has continued to such a length that evidence taken before the Board under oath charging a foreman with falsely maligning a man and actually tampering with his work for the purpose of discrediting him as a mechanic, is of no moment. That he should boast of the company upholding this nefarious practice is a question not worthy of contradiction. That a master mechanic should repudiate an undertaking given over his signature, in a statement to the men, and then make a directly contradictory one to the Board under oath, is of so little consequence to those higher in authority that relationships continue unchanged.

Nothing worthy of refutation was the reply of the company's representative; nothing of moment.

If a proper relationship is to be established between the men and the company, this condition will have to be changed, and the evidence presented to the Board places the onus on the company.

3. In the apportioning of the number of apprentices to the trades as one to four, the Board undertakes to upset offhand a general rule adopted throughout the North American Continent in 1898, and recognized wherever an agreement is in existence with the trades to-day.

If the question was one of first principles—whether it is right to place any limitation or not—then I could understand the attitude assumed by the Board, but I cannot concur in a finding arrived at without data or evidence. I submit the Board is not competent to judge of the fairness or unfairness of one to four or one to five, granted there should be any limitation.



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## 6. Changing of working hours in roundhouses:—

While the system of lapping of hours does not commend itself, a trial of a few months will prove its effect or ineffectiveness as an eliminator of overtime, and without favouring the principle, I recommend that it be put in effect during the life of the proposed agreement.

## Life of proposed agreement:—

I favour the usual 30 day clause for annulment, but if a longer period is desirable in the public interest, one year from date of acceptance would be reasonable.

On the other questions before the Board I am in accord with its findings, except on the one schedule for the system proposition, and the application of the Eastern men.

No evidence has been taken on either question, and the action of the company in holding out a compromise at this time is to my mind based on the principle of “settle out of Court before Judgment is rendered,” and its acceptance by the Board prevents further exposure and a strengthening of the men’s contention.

The Board in my opinion is not justified in refusing evidence on these two important questions, for the only justification possible is in the strong opposition advanced by the company to the procedure.

The men on the Eastern have as much right to having their conditions investigated as the men in the West, and in this respect I dissent from the finding of the Board.

Respectfully submitted,

(Sgd.) JAS. SOMERVILLE.



VII.—APPLICATION FROM EMPLOYEES OF THE STANDARD COAL COMPANY, EDMONTON, ALTA. — BOARD ESTABLISHED. — AGREEMENT CONCLUDED.

Application received—May 2, 1908.

Parties concerned—Standard Coal Company and employees.

Applicants—Employees.

Nature of industry concerned—Coal mining.

Nature of dispute—Wages and conditions of labour.

Number of employees affected—20.

Date of constitution of Board—June 19, 1908.

Membership of Board—His Honour Judge Taylor, Edmonton, Alta., Chairman, appointed in the absence of a joint recommendation from the other members of the Board; Mr. Frank B. Smith, Edmonton, Alta., appointed on the recommendation of the Company; Mr. F. H. Sherman, Taber, Alta., appointed on the recommendation of the employees.

Report received—July 22, 1908.

Result of enquiry—The Company had previously made an agreement individually with the employees; strike averted.

The application in this case called for “a change of wage allowance, or remuneration of employees or the price paid or to be paid in respect of employment, and a change generally of the conditions surrounding their work in and about the mine.” The Company in its statement in reply urged that the mine officials and the employees had several times during the preceding two months tried to frame a new schedule of wages, but had not been able to reach an agreement for the reason that under the prevailing rates at coal mines in the district, the Company was unable to compete in the market and maintain its present contracts at a living profit. The Company claimed also that there had been no complaints as to the conditions surrounding the workmen in the mine, and that a number of men had notified the Company of their withdrawal from the Union, being dissatisfied with union methods. The Board was then duly established as above stated. The report was unanimous but represented that when the Board met the employing Company submitted an agreement which had been made with the men individually, that it had in consequence been considered inexpedient to call for evidence, and that the Board had, therefore, no recommendations to make. The Department was given to understand that in the meantime work proceeded on the lines of the agreement.



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## REPORT OF BOARD.

The text of the report presented by the Board is as follows:—

Edmonton, Alta., July 11, 1908.

Sir:—

In the matter of the Industrial Disputes Investigation Act, 1907, and in the matter of certain differences between the Standard Coal Company of Edmonton and its employees.

We have the honour to inform you that the Board as constituted met and organized this forenoon, and had an informal conversation over the matter.

In the afternoon the Board met with representatives of the Company and the employees. The Company submitted an agreement made with the men individually, and the Board, after consultation and after hearing what was alleged by both parties, decided that it would not be expedient to call evidence under the circumstances.

The Board therefore have no recommendations to make in the matter.

We have the honour to be, Sir,

Your obedient servants,

(Sgd.) HEDLEY C. TAYLOR,

F. H. SHERMAN,

FRANK B. SMITH.

THE HONOURABLE THE MINISTER OF LABOUR,  
Ottawa, Ont.



VIII.—APPLICATION FROM EMPLOYEES OF THE OTTAWA ELECTRIC RAILWAY COMPANY, OF OTTAWA, ONT.—BOARD ESTABLISHED—AGREEMENT CONCLUDED ON ALL POINTS.

Application received—May 8, 1908.

Applicants—Employees.

Nature of industry concerned—Street railway.

Nature of dispute—Wages and conditions of labour.

Number of employees affected—256.

Date of constitution of Board—May 22, 1908.

Membership of Board—Professor Adam Shortt, Kingston, Ont., Chairman, appointed on the joint recommendation of the other members of the Board; Mr. Geo. F. Henderson, K.C., Ottawa, appointed on the recommendation of the Company; Mr. J. G. O'Donoghue, Toronto, Ont., appointed on the recommendation of the employees.

Report received—June 15, 1908.

Result of inquiry—Agreement concluded on all points; strike averted.

The application for the establishment of this Board was accompanied by a memorandum of certain terms and conditions which the employees had submitted to the management of the Company and which the latter had refused to accept. This memorandum proposed:—

1. That the wage rate of conductors and motormen during the period of this agreement shall be at the following rates:—

First year men, 22 cents per hour on week days, and 24 cents per hour on Sundays.

Second year men and over, 23 cents per hour on week days, and 25 cents per hour on Sundays.

2. That the hours of labour will be as at present, 10 hours, constituting a day's work, or as near 10 hours as the schedule of runs will permit.

3. The Company will give, free of cost, to conductors and motormen who have been in the service for a period of one year and upwards, two uniforms per year, a winter and a summer one; and shall pay one-half of the cost of uniforms for first year men.

4. The Company agrees not to call on any conductor or motorman to perform extra work in excess of their regular scheduled day's work of 10 hours, save in cases of absolute necessity.

5. The Company will meet and treat with a duly authorized committee of the Division on all grievances or disputes which may arise from time to time between the Company and the Division or any member thereof.

6. The Company agrees not to discriminate against any employee by reason of his being a member of Division No. 279.



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7. This agreement and all provisions therein contained, shall expire on the first day of May, 1909.

The Board met on June 2, and an agreement was concluded under date of June 6. The settlement was based on an increase of one cent per hour on the wage scale, being an increase of ten cents per day for the standard day's work, and involving an increased annual expenditure for the Company of \$8,000, while a substantial benefit accrued to the employees of the second, third and fourth years, in having the whole instead of half the cost of their uniforms provided by the Company. Some minor changes in working conditions were also agreed on. The agreement was signed for the Company by Mr. J. E. Hutcheson, Supt., and for the men by Messrs. M. Blanchfield and E. Parks.

## CHAIRMAN'S LETTER.

The following covering letter from the chairman accompanied the agreement received in the Department as the outcome of the deliberations of the Board:—

Queen's University, Kingston, Ont.

June 10, 1908.

HON. RODOLPHE LEMIEUX,  
Minister of Labour,  
Ottawa, Ont.

Dear Sir,—

I am pleased to be able to report that an amicable settlement has been reached in the case of the dispute between the Ottawa Street Railway Company and the motormen and conductors in its service. The settlement takes the form of a new schedule of rates of pay and conditions of employment issued by the company and accepted by the employees. A copy of the schedule duly signed accompanies this report.

The Board of Conciliation was composed of Mr. Geo. F. Henderson, K.C., nominated by the Company; Mr. J. G. O'Donoghue, nominated by the employees, and Professor Adam Shortt, nominated by the foregoing members.

After inspecting the chief lines of the street railway system, the Board met on Tuesday, June 2, at the Board of Trade rooms in the city of Ottawa. At the sittings of the board the Company was represented by Mr. J. E. Hutcheson and Mr. J. D. Fraser, while the employees were represented by Mr. Magnus Sinclair and a committee of six representatives from the motormen and conductors.

The employees asked for certain alterations in the working conditions and an increase in wages of 4½ cents per hour. It was claimed on behalf of the Company, that under existing conditions there was no justification for a change in the working conditions or an increase in wages.

From observations made by the Board, and from evidence brought forward at the sittings, it was evident that the Street Railway Company took much interest in its men and provided for their comfort and convenience in



a very generous manner; that, in consequence, it had an exceptionally capable and well set up body of men, who provided an excellent public service. The men claimed, however, that the high cost of living rendered it difficult for many of them at least to meet their requirements upon their present incomes. The Company in reply pointed to the rates of pay and conditions of employment in similar kinds of work. Considerable evidence bearing on the points under consideration was presented on both sides, and was discussed between the Board and the representatives of the parties. A few alterations in working conditions were proposed and agreed to as the hearing proceeded. As regards wages, which was the chief feature to be dealt with, it was felt by the Board that, having regard to the present economic outlook and the unfavourable conditions of employment in other lines, wages almost nowhere advancing, but in several cases declining, no great advance could be expected.

After taking all things into consideration it was proposed by the chairman that an advance of one cent per hour on the present wage scale might be granted; being an increase of ten cents per day for the standard day's work, and involving for the Company an extra expenditure of about \$8,000 per annum. Though not quite convinced of the justice of any advance, Mr. Thos. Ahearn, on behalf of the Company, finally agreed to the proposition in a very generous spirit, and it was afterwards accepted in good part by the representatives of the employees. The employees of the second, third, and fourth years received in addition a substantial benefit, in having the whole, instead of half of the cost of their uniforms provided by the company.

It was understood, as between the parties, that there should be no discrimination by either party for or against any employee of the Company because of his being or not being a member of an organization.

It is learned through their representatives that the employees are very well satisfied with the terms of the settlement.

Yours sincerely,

(Sgd.) ADAM SHORTT,  
Chairman, Board of Conciliation

#### THE AGREEMENT.

The text of the agreement concluded before the Board is as follows:—

#### THE OTTAWA ELECTRIC RAILWAY COMPANY.

##### Conductors and Motormen.

##### Schedule of Wages in Effect June 1, 1908.

1st year's service:	18½c.	per hour for	week days.
	20½c.	"	Sundays.
2nd year's service:	19½c.	"	week days.
	21½c.	"	Sundays.
3rd year's service:	20½c.	"	week days.
	22½c.	"	Sundays.

##### Working Hours.

(a) The hours of labour for regular men will be as at present, ten hours constituting a day's work, or as near to ten hours as the schedule of runs will permit.



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(b) The Company will not call on any conductor or motorman to perform extra work in excess of his regular schedule day's work of ten hours except in cases of necessity. Men will not be expected to work beyond the full day unless they are agreeable to do so.

## Uniform Clothing.

(a) Clothing of conductors and motormen will consist as follows:

For Summer: Full suit, coat, vest and pants.

For Winter: Trousers every year; overcoat every second year.

All conductors and motormen must be so provided.

(b) The Company will pay full cost of such clothing for all men in the service for over one year, and half the cost of those in their first year.

(c) Uniform caps and badges will be supplied by the Company without charge.

As heretofore, the Company will, except in cases of personal dishonesty, meet and treat with individual employees or a committee of the employees on grievances or disputes which may arise from time to time between the Company and its employees.

(Sgd.) J. E. HUTCHESON,  
Superintendent.

We accept the above:

(Sgd.) M. BLANCHARD,  
For the Employees.

(Sgd.) E. PARKS.

(Sgd.) ADAM SHORTT,  
Chairman.

(Sgd.) GEO. F. HENDERSON,

(Sgd.) J. G. O'DONOGHUE,  
Board of Conciliation.



IX.—APPLICATION FROM EMPLOYEES OF THE NOVA SCOTIA STEEL AND COAL COMPANY, LIMITED, NORTH SYDNEY, N.S.—BOARD ESTABLISHED—AGREEMENT CONCLUDED ON ALL POINTS.

Application received—May 12, 1908.

Parties concerned—Nova Scotia Steel and Coal Company, Limited, and its employees.

Applicants—Employees.

Nature of industry concerned—Coal mining.

Nature of dispute—Wages and conditions of labour.

Number of employees affected—1,750.

Date of constitution of Board—June 19, 1908.

Membership of Board—Professor Adam Shortt, Kingston, appointed on the joint recommendation of the other two members of the Board; Dr. David Allison, Sackville, N.B., appointed by the Minister of Labour in the absence of any recommendation from the Company; Mr. J. W. Maddin, Sydney, C.B., appointed on the recommendation of the employees.

Report received—August 1, 1908.

Result of enquiry—Differences amicably arranged; strike averted.

It was stated in this application that in the month of December, 1907, the employees of the Nova Scotia Steel and Coal Company, members of Drummond, Roberts, Pretoria, and Port Cabot lodges of the Provincial Workmen's Association, employed in the Company's mines at Sydney Mines, North Sydney Mines, and Florence, Cape Breton, had applied to the Company for an increase of 15% for all day labourers and mechanics, for work in or about these collieries. The increase asked for labourers and mechanics was to come into effect on May 1, 1908. These increases were demanded because of the alleged increased cost of living. The early proceedings in the matter were delayed by the absence from the country of Mr. Thos. Cantley, General Manager, and the desire of the Company that action should not be taken pending Mr. Cantley's return. Since the slight delay in proceedings incurred in granting this request appeared to afford a better prospect of conciliation, Mr. Cantley's return was awaited.

ATTITUDE OF THE COMPANY.

A statement in reply to the application was received by the Department on June 8. The effect of the reply was that the wages paid by the Company, were as high on the average, as those of any similar collieries in Nova Scotia and that many employees were better paid than those engaged in similar work elsewhere; also that the returns on the capital invested in the collieries had



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for some years been entirely inadequate and did not warrant any increase at the present time in the cost of production. The Company also made the point that owing to the fact that mining operations had been carried on for the extended period of 75 years at Sydney, there were many old men employed in the mines and the cost of coal cutting was materially increased because these old men could not produce as much as the ordinary worker. The Company further dwelt on the depressed condition of the foreign coal trade which it was said increased the competition that confronted the Company in Quebec, its largest market, and on the greatly depressed condition of the iron and steel trade of Canada which was further adversely affected by the high price of fuel, and the Company being concerned extensively in the steel industry as well as coal mining was compelled to take these conditions into account. The statement then set forth at length the earnings of the men and discussed the conditions of the respective collieries. The amount contemplated by the various demands for increases would be not less, it was argued, than \$114,317, and if, as it would be natural to expect, equal increases were made to similar classes of labour in other industrial concerns controlled by the Company, the further sum of \$48,900 would be involved, a total of \$163,217 per annum. The statement concluded with the comment:—"The amount involved in this demand is so great, and as an unfavorable decision of a Conciliation Board would mean the absolute failure of the Company's coal mining operations, the executive of this Company feel that they would not be performing their duty to the shareholders of the Company were they, the responsible and legal guardians, to surrender to any other hands the settlement of a question of such vital importance." The enquiry extended over several days and was preceded and followed by conciliatory work on the part of the chairman or of the Board collectively.

## ACKNOWLEDGMENT FROM THE COMPANY.

The Department formally forwarded copies of the signed agreement to the respective parties to the dispute and received in acknowledgement on behalf of the Company a letter from Mr. Thomas Cantley, General Manager, under date of August 25, from which the following extract is taken:—

"We now wish to take this opportunity of expressing our appreciation of the very painstaking, able and courteous manner in which the Board carried on the protracted and difficult negotiations leading up to the arrangement arrived at on August first; and we wish particularly to give expression to our appreciation for the very able way in which the chairman presided over the deliberations of the Board, and the patience which he and his colleagues exhibited all through the examination of witnesses, and more particularly the conciliatory work which both the chairman and Mr. Maddin took up after the closing of the presentation of each side of the case by the representatives of the employees of the Company."



9-10 EDWARD VII., A. 1910

The text of the agreement and of the covering letter from the chairman of the Board is as follows:—

## CHAIRMAN'S LETTER.

Queen's University,

Kingston, Ont., August 10, 1908.

HONOURABLE RODOLPHE LEMIEUX,  
Minister of Labour,  
Ottawa, Ont.

Dear Sir:—

I have the honour to report that a settlement has been arrived at in the matter of the dispute between the Nova Scotia Steel and Coal Company and its colliery employees. The agreement which is herewith enclosed takes the form of a statement of certain changes in the existing rates of pay, as made by the Company and accepted by its employees.

The Board appointed to deal with the case consisted of Mr. J. W. Maddin, nominated by the employees; Dr. David Allison, appointed by the Minister of Labour in default of a nomination by the Company, and Professor Adam Shortt, appointed on the joint recommendation of the other two members of the Board. The sittings of the Board took place at Sydney Mines, C.B., where the collieries of the Company are situated.

On July 10th, I had an interview with Mr. Thos. J. Brown, Superintendent of the N. S. Steel & Coal Company's mines, during which I learned that the Company, in accordance with their resolution not to appoint a member of the Board, did not propose to take any part in the proceedings before it, except in so far as they were formally required to give evidence and permit the inspection of their property. Realizing that if this resolution were adhered to there was little prospect of the Board being able to effect a settlement of the dispute, and that its labours would probably end in a barren report, I first endeavoured to remove the misapprehension as to the functions of the Board, which I felt was the basis of the attitude of the Company. The president of the Company, Mr. R. H. E. Harris, K.C., of Halifax, consented to come to Sydney to discuss the matter. As the result of a meeting between Mr. Harris, Mr. Brown and myself on Monday, July 13th, it was arranged that the Company would waive its objections and freely and unconditionally take part in the proceedings before the Board, and that Mr. Brown would conduct the case for the Company. Mr. Maddin and myself had already conferred with the committee appointed to conduct the case for the employees, and which consisted of Mr. J. Moffatt, Grand Secretary of the Provincial Workmen's Association, assisted by Messrs. J. B. McLachlan, Ed. Gallagher and Jas. Dorsay.

The Board opened the formal sittings on July 14th. After a general review of the matters in dispute, at the request of both parties, it was resolved to devote the two following days to an inspection of the underground working conditions in the three chief collieries. On Friday 17th, the Board resumed sittings for the taking of evidence, the case for the employees being first presented. As there were many grades of employment to be considered, both below and above ground, and at the shipping piers, and as the conditions of mining differed considerably in different mines and in different sections of the same mine, a long list of witnesses had to be heard in order to cover the various phases of the work.



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The employees had asked that the wages of the day labourers and mechanics in and around the collieries and coal piers, should be increased fifteen per cent., also that the rates for mining coal in collieries Nos. 1 and 5 should be increased fifteen per cent. In the evidence brought forward they sought to show that the day labourers were inadequately paid, in view of the nature of the work to be done and the increased cost of living, also that owing to the difficulties of mining coal in many parts of collieries 1 and 5, due to the amount of timbering to be done, the amount of falling stone to be handled, and the wetness in certain sections of No. 5, the miners were unable to make adequate wages, notwithstanding that special rates were paid and special allowances made to meet some of these conditions.

The hearing of witnesses on behalf of the employees concluded on the 21st. On the 22nd, informal conferences were held with representatives of the men and the Company, to discuss various phases of the situation as a preliminary to the negotiations which were to follow. On the 23rd, Mr. Brown presented the Company's side of the case, accompanied by numerous returns taken from the Company's books, which were also produced before the Board that the statements might be verified or further information obtained. The members of the Board were also given access to confidential information as to the contracts and earnings of the Company. The contention of the company was that they were already paying high average wages, and that while mining in certain portions of their collieries was doubtless difficult, owing to the amount of timbering to be done, falling stone to be disposed of, hardness of coal, and excess of water, yet the Company was paying special rates in all these cases, while the extra outlay brought no corresponding return in coal. Attention was also drawn to the fact that in its present financial position under the existing conditions of the coal market and in view of the uncertainties of the future, the Company was not in a position to afford any increase in wages. At the same time evidence was furnished that in certain sections of the collieries, particularly in No. 3, very high wages were being made, and that if any change was to take place it must be in the nature of a readjustment of rates.

The formal presentation of evidence being completed, the Board carefully reviewed the whole situation and came to the conclusion that in view of the evidence presented, the Company was not in a position to materially increase its expenditure. At the same time it was considered very undesirable that there should exist, within the collieries of the same Company, such a wide difference in the earning powers of the miners. The average earnings in No. 1 colliery was \$2.51 per day, while in No. 3 it was \$4.50 per day, and these averages concealed much wider variations between the earnings of miners working equally long hours and with equal diligence. The Board quite recognized that a machine-runner should receive a higher rate of pay than a pick miner, yet they felt that some adjustment of rates was urgently required, alike in the interest of equity and a better feeling among the employees of the Company. The Board, therefore, resolved to recommend to the company and its employees that a reduction be made in the tonnage rates for certain grades of work in colliery No. 3, and that an increase be made in the wages of the day labourers now receiving \$1.38 per day, while some additional provision should be made in for the less remunerative work in No. 1 colliery. No specific amount of reduction or increase was at first mentioned, as further details would depend upon the reception of the principle involved in the adjustment.

The Board itself having reached a quite unanimous opinion on the subject, on July 24th, negotiations with the miners and Company were



begun on this basis. Very naturally the proposal was most strenuously opposed by the highly paid miners in No. 3 colliery, who, though their lodge was included on the same basis as the other in the application to the Department for a Board, yet made the claim that they were not involved in the matter before the Board as they made no request for a change in conditions. The Board, however, had ruled from the first, that whatever was essential or pertinent to the ultimate settlement of the matters in dispute would be considered and dealt with by the Board. It was also pointed out that even if the case of the highly paid men in No. 3 colliery were ruled out on technical grounds, it would be open to the Company to apply for another Board on the matters ruled out, thereby involving further delay and expense, with lessening prospects of a settlement. The miners in collieries 1 and 5, while acknowledging the hardship of the great inequalities between the earnings of the miners, were naturally reluctant to appear as favouring a reduction in the rates of the highly paid miners in No. 3 that they might benefit, much preferring that their rates should approximate to those of No. 3, if this could be accomplished at the Company's expense. Obviously, however, the payment of miners' wages ranging from \$3 to \$6 and \$7, and even occasionally to \$10 and \$11 per day would bankrupt the Company. While therefore, it appeared quite evident to the Board that, for several reasons, adjustment was the only admissible solution, it was plainly not to be accomplished without considerable difficulty, and only after much discussion and negotiation. It is unnecessary to detail all the conferences and negotiations which followed and which, considering the importance of the issues for hundreds of individuals, were conducted on the whole, with much moderation and with exceptional forbearance for the Board, the authors and advocates of an unpopular proposal.

When it came to the question of determining the exact amounts of the reductions on the one hand, and of the increases on the other, the Board proposed to the Company that, though not in a position to make a regular increase in wages, it might make a contribution in the interests of peace and the establishment of more equitable conditions throughout the collieries. After a consultation with the president of the Company, the proposal was met in a generous spirit. The amount to be saved by the proposed reductions was about \$550 per month. To this the Company agreed to add another \$300 per month, making the total about \$850 per month, or something over \$10,000 per annum. This was to be employed first, in increasing to \$1.45 the wages of the day labourers then receiving \$1.38; the balance to be devoted to increasing the allowances for falling stone in No. 1 colliery. The details of the distribution are set forth in the schedules attached to the accompanying agreement.

After being tentatively discussed by the representatives of the miners and the Company, the proposals were finally formulated in an award of the Board, which was submitted to both parties to be accepted or rejected as a whole. On July 31st, the employees voted on the matter in their lodges, Mr. Maddin and the chairman attending two of the chief meetings to explain and defend their award. The following morning the delegates from the lodges met in the Sub-Council of the P. W. A. to take final action, when by a majority of two to one, it was decided to accept the award of the Board. The Company having accepted also, the Board met the Miners' Committee and Mr. Brown, representing the Company, and the enclosed agreement was signed.

I desire to express my personal appreciation of the very admirable spirit in which the committee representing the miners faced a very trying situation. I have also to acknowledge the tactful and eminently fair manner in which Mr. T. J. Brown dealt with the situation as the represent-



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ative of the Company. My colleague on the Board, Mr. J. W. Maddin, as the nominee of the miners, had a particularly difficult position to fill, where the award of the Board was so little attractive to some of the most influential of the miners. He not only maintained an independent and judicial attitude in arriving at the award of the Board, but accepted the fullest responsibility for the award and laboured most actively to secure its adoption.

Yours very sincerely,

(Sgd.) ADAM SHORTT,  
Chairman.

## THE AGREEMENT.

In accordance with the recommendations of the Board of Conciliation appointed to deal with the matters in dispute between the Nova Scotia Steel & Coal Company, Limited, and its colliery employees, the following changes are made in the existing conditions of employment and wage scale to take effect August 1, 1908.

The mining rates at Number 3 Colliery shall be as per Schedule "A" hereto attached.

The amount derived from the difference between Schedule "A" and the rates heretofore existing, together with the sum of three hundred dollars per month to be contributed by the company shall be expended as follows: —

(a) The rate of pay for men heretofore receiving \$1.38 per day shall be increased seven cents per day. This class is defined in Schedule "B" hereto attached.

(c) The balance of the said sum shall be added to the existing scale paid for falling stone in number one mine as per Schedule "C" hereto attached.

In behalf of the Nova Scotia Steel & Coal Co., Ltd.

(Sgd.) THOS. BROWN,  
Genl. Supt.

Accepted on behalf of the employees.  
G. Sec., P.W.A.

(Sgd.) JOHN MOFFATT,  
" ED. GALLAGHER,  
" J. B. McLACHLAN,  
" JAMES DORSAY,  
G. Chaplain.

(Sgd.) ADAM SHORTT,  
Chairman.

" J. W. MADDIN,  
" DAVID ALLISON,  
Members of Board of Conciliation.

Sydney Mines, N.S., August 1, 1908.



MACHINE CUTTING PRICES AT No. 3 COLLIERY.

Rooms.								Pushing.		Rooms.
Heights.	Levels per ton 2240 lbs.	Head- ways per ton 2240 lbs.	Deep per ton 2240 lbs.	Under- cutting per ton 2240 lbs.	Shot- firing per ton 2240 lbs.	Leading per ton 2240 lbs.	Up to 200 ft. per ton 2240 lbs.	200' 300' per ton 2240 lbs.	Total @ 200 per ton 2240 lbs.	200' 300' per ton 2240 lbs.
5'0" to 4'7" (ince.)	52	53	75	16	14½	14½	3	4	48	49
4'6" to 4'1".....	58½	59½	85	17½	16	14½	3	4	51	52
4'0" to 3'7".....	65	66	103	20	18½	16	3	4	57½	58½
3'6" to 3'0".....	77	78	114	23½	22	16	3	4	64½	65½

1. Pushing to be paid in Levels and Headings, if no engine or horse employed.

2. Rooms 40 cents each when considered necessary.

3. Rooms broken off back deeps to be 14 ft. wide increasing to 20 ft. wide at 45 ft. in, at which point a Crescent is to be driven 14' 0" wide, all of which will be paid for at Headway prices.

4. Crescents driven out of the ordinary and used for haulage purposes will be paid for at Headway prices.

5. Crescents driven to gain a Room will be paid for at Headway prices.
- Sydney Mines, August 1st, 1908.

SCHEDULE "B".

No. 1 COLLIERY :			
87 men advanced from.....		\$1.38 to 1.45	
2    "       " .....		1.25 to 1.45	
2    "       " .....		1.30 to 1.45	\$169.75
No. 2 COLLIERY :			
9 men advanced from.....		\$1.38 to 1.45	\$ 15.75
No. 3 COLLIERY :			
106 men advanced from.....		\$1.38 to 1.45	\$185.50
No. 4 COLLIERY :			
13 men advanced from.....		\$1.38 to 1.45	\$ 22.75
No. 5 COLLIERY :			
1 man advanced from.....		\$1.25 to 1.45	
1 man advanced from.....		1.38 to 1.45	\$ 13.75
			<u>\$407.50</u>

SCHEDULE "C"

Rates for falling stone in No. 1 Colliery, August 1st, 1908.

For stone 2-in. in thickness	\$ .05½	per man per day.
"   3-in.       "	.07½	"       "
"   4-in.       "	.09½	"       "
"   5-in.       "	.12½	"       "
"   6-in.       "	.15	"       "
"   7-in.       "	.17½	"       "
"   8-in.       "	.20½	"       "
"   9-in.       "	.22½	"       "

MEMO :

The amount reduced at No. 3 Colliery amounted approximately to \$550.00, arrived at as follows :—

Rooms, 20,000 tons per month @ $\frac{1}{2}$ ct. (Machine runners).....	\$100.00
“ “ “ @ 1ct. (Shot frers).....	200.00
Narrow places, 5,000 tons per month @ 5 cts.....	250.00
	<hr/>
	\$550.00
To this is to be added the amount contributed by the Company.....	300.00
	<hr/>
	\$850.00

This was distributed as follows :—

As per Schedule "B" .....	\$407.50	
50 % increase for falling stone in Nos. 1 and 5 Collieries.....	450.00	
	<u>          </u>	\$850.00



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**X.—APPLICATION FROM STATION FREIGHT CLERKS OF THE INTER-COLONIAL RAILWAY OF CANADA AT ST. JOHN, N.B., AND HALIFAX, N.S.—COMMITTEE OF CONCILIATION, MEDIATION AND INVESTIGATION ESTABLISHED — NO CESSATION OF WORK.**

Application received—May 14, 1908.

Parties concerned—Intercolonial Railway of Canada and Station Freight at St. John and Halifax.

Applicants—Employees.

Nature of industry concerned—Railway.

Nature of dispute—Wages and conditions of labour.

Date of constitution of Committee—September 8, 1908.

Membership of Committee—His Honour D. McGibbon, Brampton, County Judge of Peel, Chairman, appointed on the recommendation of the other members of the Committee; Mr. Henry Holgate, C.E., Montreal, appointed on the recommendation of the Department of Railways and Canals; Mr. R. E. Finn, M.P.P., Halifax, N.S., appointed on the recommendation of the employees. Mr. Finn subsequently withdrew from the Committee, and was replaced by Mr. J. G. O'Donoghue, of Toronto, Ont.

Report received—October 6, 1908.

Result of enquiry—Strike averted.

The application in this case was made under the terms of the Conciliation and Labour Act, and was referred by the Minister for adjustment to a Committee of Conciliation, Mediation and Investigation under section 5 of the Industrial Disputes Investigation Act, 1907, and section 13 of the Conciliation and Labour Act, relating to railway labour disputes. The application was for an increase of wages equivalent to 25 per cent. In correspondence with the Minister of Railways it had been also suggested by the applicants that a classification of the clerks should be made, which, they held, "would greatly inure to the benefit of the Railway, and promote a spirit of mutual interest, and further carry out the principle adopted by the Railway Department that efficiency and length of service should be the basis of promotion."

The report was signed by the three members of the Committee, and made recommendations for the settlement of the various points of difference which were afterwards transmitted to the parties concerned with a request that the latter should state whether the report was acceptable to them respectively as a basis of settlement of the differences referred for adjustment. A reply was received from the Deputy Minister of Railways and Canals under date of October 10, 1908, in which the Department of Railways and Canals expressed itself ready and willing to accept the findings of the Committee of Conciliation, Mediation and Investigation in this matter. On November 23, 1908, the Department of Labour was also advised from Halifax that the Station Freight Clerks of Halifax and St. John were prepared to accept the findings of the Committee.



TEXT OF THE FINDINGS OF THE COMMITTEE.

The following is the text of the findings of the Committee of Conciliation, Mediation and Investigation:—

Montreal, September 30th, 1908.

HON. RODOLPHE LEMIEUX,  
Minister of Labour,  
Ottawa, Ont.

In the matter of the Conciliation and Labour Act, R. S. C., 1906, Cap. 96, and in the matter of certain differences between the Intercolonial Railway of Canada and the Station Freight Clerks' Union, Branches Nos. 1 and 2, of Halifax and St. John.

Sir,—The Committee provided for under the Act was formed and completed on September 8th, and agreed to meet at Halifax on September 16th, and the three members of the Committee arrived at Halifax on the evening of the 15th.

On September 16th, the members of the Committee inspected the Intercolonial freight offices at Halifax, and familiarized themselves generally with the duties of the clerks.

At 2.15 p.m. on the same day, the Committee met in the Province Building, and there were present: Messrs. G. P. Monaghan and Alex. Gibb and several others representing the clerks, and Mr. David Pottinger and members of his staff representing the Intercolonial Railway.

The demands of the clerks were presented in writing, and were as follows:—

HALIFAX SCHEDULE.

DEEP WATER FREIGHT OFFICE.

No.	Title.	Salary asked for.
1	Chief Clerk.....	\$100.00
1	Cashier.....	95.00
1	Clerk of Piers.....	95.00
1	Terminal Agent's Secretary.....	90.00
5	First-class clerks.....	85.00
10	Second-class clerks (1st year).....	60.00
	(2nd year).....	65.00
	(3rd year).....	70.00
14	Third-class clerks (1st year).....	40.00
	2nd year).....	45.00
	(3rd year).....	50.00

RICHMOND FREIGHT OFFICE.

No.	Title.	Salary asked for.
1	First-class clerk.....	\$85.00
1	Second-class clerk (1st year).....	60.00
	(2nd year).....	65.00
	(3rd year).....	70.00
1	Third-class clerk (1st year).....	40.00
	(2nd year).....	45.00
	(3rd year).....	50.00



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Schedule to apply from April 1st, 1907.

Seniority and efficiency to count in grading.

2. When a clerk is ordered back to work after hours or on Sundays or holidays by the officials, they are to be paid double time for all such extra time, and all clerical work in the office must be performed by clerks.

3. When a clerk is relieving a clerk of a senior position or class for one week or more he will receive the rate of pay of the clerk he is relieving.

4. That all clerks be allowed two weeks' vacation with pay, as at present, after one full year's service, and all statutory holidays be observed.

5. That eight hours constitute a working day, as formerly.

6. That all new clerks appointed to the office must enter as third class clerks and receive the minimum of pay of third class clerks for first year.

7. That all vacancies go to the next senior clerk, who is to hold the office for six months on probation, and if at the end of that time he has satisfied his superior officers of his ability to perform the work required of him he is to be confirmed in his position.

8. That no employee from any other Department be appointed to temporary or permanent vacancies over the heads of the regular clerks in the office.

9. Clerks will not be discriminated against for being members of the Railway Clerks' International Union, nor for serving on Boards of Adjustment representing clerks, and will be given leave-of-absence and furnished with free transportation for such purposes. They will also receive the same privileges for the purpose of attending their meetings on any part of the line, when it is possible to do so without inconvenience to the Railway.

10. No clerk will be suspended or dismissed without just cause, and any clerk charged with, suspended or discharged for an alleged fault, the same shall be fully specified in writing, giving full particulars two days prior to any investigation, and he will have a full and impartial hearing, and decision will be rendered within thirty days after filing his written request therefor with the proper official. If found blameless, as charged, he will be reinstated and will be paid for time lost at his stated rate of salary.

As this was the first intimation that the Intercolonial Railway officers had received as to what the demands were nothing more than a preliminary discussion could follow, and it was decided to allow Mr. Pottinger proper time to consider these demands and to formulate a reply to them. Accordingly the Committee adjourned and met again on the following day when Mr. Pottinger presented his reply.

It became evident at this stage that the case divided itself into two distinct parts.

1st. Relating to general questions of the relation between the Railway and its clerks and of appointments and organization.

2nd. As to wages or salaries of clerks.

In Mr. Pottinger's argument he stated definitely that the Intercolonial Railway could not increase the pay of the clerks nor adopt a schedule of salaries but upon other points the Intercolonial were disposed to be conciliatory.

The reasons for the Railway declining to agree to the increase of wages were fully set out by Mr. Pottinger and were such that the Committee felt that it would be desirable to take up the other matters in dispute, leaving the question of wages to be discussed with the Deputy Minister at a later date, and all parties assented to this procedure.

Accordingly and after a full discussion the following matters were agreed upon by all parties in the form as under:—

Your Committee are of opinion that it would make far greater harmony, and better efficiency, if a system of classification of clerks were introduced. Not only would the above results accrue, but there would then be an available scheme for promotion, which at the present time seems to be lacking, and which omission breeds discontent owing to the uncertainty of upward progress for efficient clerks who have by length of service and attention to the duties of their office earned the right to consideration in this regard. Just what system of classification should be introduced must necessarily be evolved by the officials of the Railway, who are more intimately familiar with the details of the business of the Intercolonial than your Committee can possibly be. The men involved must necessarily accept the classification determined upon, subject of course to the right which they possess of bringing to the attention of their



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superiors in office any improvement in such classification, which to them may seem desirable in the best interests of the service.

*Overtime:*

Clerks duly called upon to work beyond the regular hours of their daily service should receive a *pro rata* allowance for such overtime. The same rule should apply to Sundays.

*Holidays:*

The two weeks vacation with pay should continue as at present.

*Relieving:*

When a clerk is relieving a clerk of a senior position or class, the relieving clerk should, after two weeks, receive the rate of pay of the clerk whom he relieves.

*Length of Day:*

Your Committee do not feel disposed at present to make any recommendation with respect to the number of hours that should constitute a day's work; the present day is practically one of eight and one-half hours.

*Promotion:*

Your Committee are further strongly of the opinion that, outside of the rare cases that arise where an exceptionally able outsider is brought into the service to fill some particular position requiring special knowledge and training, the principle of promotion of those already in the service should obtain, having due regard, of course, to efficiency and the requirements of the service.

*Discrimination:*

The men asked for the following clause: "Clerks will not be discriminated against for being members of the Railway Clerks' International Union, nor for serving on Boards of Adjustment representing clerks, and will be given leave-of-absence and be furnished with free transportation for such purposes. They will also receive the same privileges for the purpose of attending their meetings on any part of the line, when it is possible to do so without inconvenience to the Railway."

Mr. Pottinger stated that that was now the practice on the I.C.R., and that there was no objection to an employee belonging to a Trade Union. This being the case your Committee need deal no further with this particular point.

No clerk is to be suspended, or dismissed, without just cause. Any clerk charged with, suspended or discharged for, an alleged fault, the same shall be fully specified in writing, giving full particulars two days prior to any investigation, and he will have a full and impartial hearing, and decision will be rendered by the Railway's proper official within a reasonable time after the written request has been filed. If found blameless, as charged, he will be reinstated and will be paid for time lost at his stated rate of salary."

After reaching this conclusion the Committee adjourned to meet at Ottawa.

On September 28th the Committee met in the Railway Committee Room of the House of Commons and there were present Messrs. Monaghan and Gibb and Mr. M. J. Butler, Deputy Minister of Railways and Canals.

Mr. Butler laid his views before the Committee on the question of increase of salaries and these coincided with those expressed by Mr. Pottinger at Halifax, and further explained the inability of the Railway to increase their expenses owing to the fact that working expenses of the Railway were very largely in excess of revenue and no funds were available for any increase of expenses.

The Committee further considered the questions involved and now submit the following additional recommendations:—

The Committee after the investigation is of opinion that in the matter of wages the system that obtains of appointing from time to time new men at higher pay over the heads of men long in the service and probably more



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capable of doing the work, is injurious to the service and unjust to the men. The remedy for this lies in reorganization, and the abolition of the existing system of appointment influenced by political patronage, which from the point of efficient working, we find ample evidence to condemn as applied to the Intercolonial Railway.

The present staff is greater than is necessary, and this is another element which discourages individual increases. If the aggregate amount paid now in salaries were divided among a staff equal simply to the requirements of the service, the men remaining could be better paid than they are now.

The re-arrangement of salaries could then be made on the basis of the value of the position and the work done, having regard of course, to what is paid for similar work elsewhere, and the local cost of living as compared with such comparative centres.

At the present time, the wages paid to those now presenting claims before us are not, owing to above reasons, what a fair consideration would justify. Under the reorganization hereby strongly recommended, it is more than probable that the adoption of increases of from 15% to 20% would not mean an appreciable addition to the operating expenses of the Intercolonial Railway, and would produce a more equitable schedule of compensation for the staff retained.

We summarize our further recommendations as follows:—

(1) Reorganization in order to adjust the number of employees to the actual requirements of the service.

(2) An increase as above suggested to the re-organized staff.

(Sgd.) D. MCGIBBON,  
Chairman of Committee.

(Sgd.) JOHN G. O'DONOGHUE,  
Appointee of Clerks' Union.

(Sgd.) HENRY HOLGATE,  
Appointee of Intercolonial Railway.



XI.—APPLICATION FROM EMPLOYEES OF THE PORT HOOD, RICHMOND RAILWAY COAL COMPANY, LIMITED, OF PORT HOOD, N.S.—BOARD ESTABLISHED—AGREEMENT CONCLUDED ON ALL POINTS.

Application received—May 18, 1908.

Parties concerned—Port Hood, Richmond Railway Coal Company, Limited, of Port Hood, N.S., and its employees.

Applicants—Employees.

Nature of industry concerned—Coal mining.

Nature of dispute—Wages and conditions of labour.

Number of employees affected—300.

Date of constitution of Board—June 8, 1908.

Membership of Board—His Honour Angus McGillivray, County Judge, Antigonish, N.S., appointed on the recommendation of the other members of the Board; Mr. G. S. Campbell, Halifax, N.S., appointed on the recommendation of the employers; Mr. James MacDonald, M.P.P., West Bay, N.S., appointed on the recommendation of the employees.

Report received—July 2, 1908.

Result of inquiry—Agreement concluded on all points; strike averted.

This dispute arose out of a demand made by the employees of the Port Hood Richmond Railway Coal Company of Port Hood, N.S., for a 15% increase of wages, effective from May 1, 1908. The Company refused the demand on the ground that business conditions did not permit of such an increase. The application set forth that the men “ceased work on May 1, but returned after four days, having entered into an agreement with the manager to place the matter before a Conciliation Board.”

The report of the Board was signed by all three members and made recommendations for the settlement of the differences which the chairman, in a covering letter to the Minister, stated would, he believed, be found acceptable to the parties concerned. The Board met at Halifax, June 15 to 19 and June 25 to 27 and heard considerable evidence as to the state of the coal trade, the cost of living, and other matters believed to be pertinent to the dispute. The condition of the Company's colliery was also examined both on the surface and underground. The Board recommended no increase for miners, finding that the average rate earned in the colliery “now exceeds that of most other collieries in the Province.” An increase amounting to 10 per cent. was recommended in the case of surface labourers, carpenters and hoisting engineers, and a smaller increase in the case of firemen. Under date of July 22, 1908, the Department was advised of the acceptance of this award by the employees.



## REPORT OF BOARD.

The text of the report is as follows:—

In the matter of the Industrial Disputes Investigation Act 1907, and in the matter of certain differences between the Port Hood Richmond Railway Coal Company and Employees of the said Company.

On receiving notification of the establishment of a Board under the provision of the above Act and of the appointment of George S. Campbell recommended by the employers, of James MacDonald recommended by the employees, and of Angus McGillivray, as chairman, the latter after consultation with the other members fixed the time and place where the sittings of the Board were to be held, of which he duly notified the parties interested. The Board met on the 15th day of June, 1908, at Port Hood, the time and place fixed for its sittings, and continued till the 19th, during which time the members of the Board heard the statements of both parties to the dispute, and also the evidence of witnesses adduced on both sides. During this time they examined the condition of the Company's colliery both over and under ground. The members of the Board then adjourned until the 25th instant, on which day they met again and considered the statements, and testimony *viva voce* adduced before them, and the evidence on view. The representatives of the employees submitted their statements with a comparative list of groceries and their prices, from 1902 to 1907, the rate of wages of surface and underground men as now paid by the Dominion Coal Company of Cape Breton, and Miners' average daily pay in Springhill, Albion, Acadia, Drummond, Inverness, Sydney (Nos. 1 and 5) and Bridge Port (hand picked) Mines, in the Province of Nova Scotia. (The mine of the Company, party to this dispute, is also hand picked.) The representatives of the Company submitted schedules of colliery rates at Inverness, at Springhill, and at the Company's mine; and announced that the Company is willing to pay the same rate as other mines pay, taking into consideration relative conditions here as compared with other mines, but would resist a general increase of 15% "to bring the wage rate of the miner to the standard of miners throughout the Province," in view "of the present high cost of living, and the favourable condition of the coal trade," as claimed by the employees until proved that such ought to be paid. On this point we proceeded to take evidence.

Two questions were involved in this enquiry, namely (1) The question of wages; (2) Payment on tonnage of coal mined.

After the termination of our enquiry and before considering the evidence, the Board asked the representatives of the parties to confer with one another and find if they could come to an amicable settlement of their dispute. The representatives of the employees stated that they had no authority to come to any settlement but would leave the matters in dispute to the decision of the Board.

In view of the fact that the Company is getting its colliery on a fairly firm basis, and that the industry is one which promises to be established to afford continuous employment to the employees of the mine, and a general benefit to the people of the locality, the Board have decided to make only the following recommendations

- (a) Surface labourers whose wages are up to \$1.45 to receive \$1.50 per day.
- (b) Carpenters now receiving \$1.75 per day to get an advance of 10 per cent.
- (c) Holsting engineers to receive a uniform rate of \$2.20 per shift of 12 hours.
- (d) Firemen to receive a uniform rate of \$2.00 per shift of 12 hours.



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The scale as to the above classes will, therefore, stand recommended:

1. Surface labourers now receiving \$1.45 shall receive \$1.50 per day.
2. Carpenters now receiving \$1.75 shall receive \$1.92 per day.
3. Hoisting engineers now receiving \$2.00 shall receive \$2.20 per day.
4. Firemen now receiving \$1.92 shall receive \$2.00 per day.

The Board considers that hoisting engineers performing a duty of great responsibility as to the safety of life and property should be rewarded according to the gravity of their duty, and that they be not required to attend to any other kind of work engaging their attention while men are in the mine. This is not intended to prevent the night engineer whose duties are comparatively light to attend to the dynamo as at present.

With reference to the claim of the miners for an increased rate the Board finds that considering the average rate already earned, which now exceeds that of most other collieries in the Province, they do not feel justified in recommending an increased rate under present conditions.

The above is earnestly recommended as a settlement of the dispute between the parties thereto.

(Sgd.)      A. MCGILLIVRAY,  
Chairman.

“            G. S. CAMPBELL,

“            JAMES MACDONALD,  
Members of the Board.

Dated, Halifax, June 29th, 1908.



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## XII.—APPLICATION FROM RAILROAD TELEGRAPHERS EMPLOYED BY THE CANADIAN PACIFIC RAILWAY COMPANY—BOARD ESTABLISHED—AGREEMENT CONCLUDED ON ALL POINTS.

Application received—May 29, 1908.

Parties concerned—Canadian Pacific Railway Company and railroad telegraphers in its employ.

Applicants—Employees.

Nature of industry concerned—Railways.

Nature of dispute—Alleged wrongful dismissal of an employee.

Number of employees affected—Directly 1, indirectly 1,605.

Date of constitution of Board—June 17, 1908.

Membership of Board—The Honourable Mr. Justice Fortin, Superior Court, Montreal, chairman, appointed by the Minister in the absence of any joint recommendation from the other members of the Board; Mr. Charles S. Campbell, K.C., Montreal, appointed on the recommendation of the Company; Mr. J. G. O'Donoghue, Toronto, appointed on the recommendation of the employees. Mr. O'Donoghue subsequently withdrew from the Board, finding himself unable to serve because of private engagements, and on the recommendation of the employees affected, Mr. W. T. J. Lee, Toronto, was appointed to the Board in his place.

Report received—September 26, 1908.

Result of inquiry—Agreement concluded before the Board; strike averted.

The matter of dispute in this case was set forth in the application as the alleged wrongful dismissal of Mr. A. E. Morrisette by the Company from its agency at Megantic, Quebec, on February 27, 1908. Various conferences, it was alleged, had taken place between the Company's officials and representative committees of the Order without avail. The statement submitted on behalf of the Company in reply to the application admitted the dismissal of Mr. Morrisette on the date named, but insisted that the dismissal was entirely justified in view of irregularities which had been committed by the person dismissed. The statement also set forth "that the Company reserved the right to deal with any failure of duties by any of its employees in accordance with the Company's rules and regulations, and in such manner as seems to its officers expedient in order to conserve good discipline and efficient service on its lines." It was also urged on behalf of the Company that in applying for a Board in connection with the dispute in question, an improper advantage was being taken of the provisions of the Act.

The investigation before the Board proceeded immediately, but a final conclusion was deferred for a considerable time, as set forth in the text of the report printed below. An amicable settlement, however, was finally reached



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and Mr. Morrisette, the dismissed employee, was taken back into the service of the Company, the nature of his discipline being changed from dismissal to suspension for a stated period, while his reinstatement without prejudice was permitted. The case appears to have been one of particular difficulty of adjustment, and a settlement was finally effected only by the exercise of a special degree of tact and perseverance on the part of the Board, the chairman especially acting as a medium for negotiations between the parties concerned, entirely apart from the more formal proceedings of the Board. The findings of the Board were signed by the three members thereof, and a memorandum of settlement between the parties was signed by Mr. J. W. Leonard for the C.P.R., and Mr. G. D. Robertson for the Order of Railroad Telegraphers, also by the Honourable Mr. Justice Fortin as chairman of the Board.

## REPORT OF BOARD.

The text of the findings of the Board and of the memorandum and statement is as follows:—

THE HONOURABLE RODOLPHE LEMIEUX,  
Minister of Labour,  
Ottawa, Ont.

In the matter of the Industrial Disputes Investigation Act, and in the matter of The Canadian Pacific Railway Company and the Order of Railway Telegraphers—Morrisette's case

1. Meetings of the Board were held at Montreal and at Toronto, and written as well as verbal evidence was adduced by the parties from which the following facts appear:—

2. Mr. A. E. Morrisette, station agent at Megantic, P.Q., sent in, towards the end of the month of December, 1907, the official pay sheet for the station, upon which, in ordinary course, the month's wages at that station would have been paid. He showed thereon, as night car checker, one J. J. Sevigny, at the rate of \$35.00 per month, and as call boy, one George Boiselle at \$15.00 per month. He had, about the 14th December, advised District Superintendent Williams that Sevigny had resigned, effective December 14th, and he had recommended that George Boiselle be made night car checker at \$35.00 and one A. Couture taken into the Company's service as call boy. Superintendent Williams had declined to authorize a salary of \$35.00 per month for Boiselle, who was only sixteen years of age, and had suggested that a rate of \$25.00 per month should be applied for. Mr. Morrisette states that he communicated this information to Boiselle, who answered in effect that he would "go back calling," that is, as call boy, before he would accept \$25.00 a month. Mr. Morrisette states that he forwarded this answer to Superintendent Williams. The latter, however, does not admit having received it.

It appears that in order to get the work of the station done, Mr. Morrisette might have employed additional help, and in this way might, in the absence of contrary instructions, have bound the Company even to the extent of paying at the rate of \$35.00 for Boiselle, or such help as he could get as a temporary measure, but he would have had to report the fact and he could not, without authority, put Boiselle on the pay sheet as being entitled to salary.



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To Superintendent Williams, at the time he received the pay sheet, it appeared that Mr. Morrisette, by it, represented that Boiselle still occupied his old place as call boy, and that Sevigny, a man whom he had reported as having resigned, effective December 14th, was still in the Company's employ at the end of the month. Superintendent Williams thereupon asked for an immediate explanation, and on the 31st December, Mr. Morrisette wrote in reply the following letter:—

"Referring to the attached, I have exhausted all efforts to get anyone who cares for the job of Night Car Checker, and as Boiselle will not do the work for any less than \$35.00 per month and being forced to use him until I can get relief I thought perhaps it was best to show him in Sevigny's name continuing as he will accept no less, it may be wrong to have done so. If you think best the following is the correct time of each man:

"J. J. Sevigny, 9-31 at \$35.00 .....	\$10.13
Geo. Boiselle, 22-31 at \$35.00 .....	24.87
Geo. Boiselle, C-B, 12-31 at \$15.00 .....	5.81
Alb. Couture, C-B, 19-31 at \$15.00 .....	9.19

"I had not got Couture down as he will drop out as soon as a Car Checker can be got in Sevigny's place and Boiselle resumes in his former place. (C-B)."

As this letter made the matter appear to Superintendent Williams the pay sheet had not correctly represented the actual condition of affairs at Megantic station, and had the payments called for by it been made, the pay issued for Sevigny would have had to be distributed in part to Boiselle, and Boiselle's pay in part to Couture, who did not appear as being in the Company's service at all. It also appeared that the instructions given by Superintendent Williams not to engage Boiselle at \$35.00 a month had been in substance disregarded.

3. After consideration, Mr. Morrisette was, on the 17th of January, advised in connection with the entry on his December pay roll for time worked by Checker Boiselle in the name of his predecessor, Sevigny, that the General Superintendent had instructed District Superintendent Williams that this was an irregularity that required Morrisette's removal from the service, and that he was to be relieved as soon as possible, and that District Superintendent Williams would arrange to relieve him as soon as his successor was decided upon.

On the following day, January 18th, Mr. Morrisette demanded an investigation, and on the 26th January, an investigation was held at which Mr. Morrisette was accompanied by Messrs. Racicot and Rogers, two members of the Order of Telegraphers.

4. The parties being unable to agree, the present proceedings were begun.

The contention urged by the Telegraphers was that Mr. Morrisette had been discharged without cause. They contended that there had been no offence, but a mere error of judgment, which they treated as consisting of having written the letter of the 31st December, the statements of which they said might be erroneous, but they contended that the pay sheet was correct, claiming that Sevigny was not able to leave the Company's service without two weeks' notice, and must be considered as having continued therein until at least the 28th December, and his having been responsible for the duties of night car checker. And following the same line of reasoning, they claimed that Boiselle remained call boy, but was being helped by Couture.

On the other hand, the Company contended that the said Morrisette was dismissed from the company's service for certain irregularities in connection with his duties as agent for the Company, more particularly for employing, contrary to instructions, a car checker named Boiselle at a rate



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of wages which the Company's superintendent had previously instructed could not be granted, and that in order to secure the increased wage to the said Boisselle, he had entered his name on the pay roll under the name of his predecessor in that position.

5. Having heard all the evidence, the Board first endeavoured to induce the Company to take Mr. Morrisette back into service, but this it was unwilling to do, claiming that the matter involved a question of discipline, a breach of positive instructions and the furnishing of information known by the employee to be incorrect.

The Board then endeavoured to see how far the Telegraphers were prepared to modify their position and after conferences with their representatives, it appeared that they would be satisfied with an arrangement by which Mr. Morrisette should be taken back into the Company's service on losing salary to date.

The Board then again communicated with the Railway Company, endeavouring to arrange a settlement on this basis but without success.

6. Conciliation having thus failed, it only remained for the Board to report on the facts established before them. Reports were then prepared, and were just about to be transmitted to you, when further efforts were renewed to bring the parties together, and these, after long and protracted negotiations, carried on unofficially, at times, through the chairman, an agreement was made by the parties, and that agreement is transmitted with the present report.

It was admitted, and we find this to be established, that Mr. Morrisette committed a breach of discipline in the way he acted as above; but, no doubt influenced by his excellent record of seventeen years' service in the Company's employ, the Company agreed to change the discipline from dismissal to suspension to 1st July last.

This being accepted brought proceedings to an end.

Montreal, this 24th day of September 1908.

(Sgd.)	W. T. J. LEE,
"	C. S. CAMPBELL,
"	THOS. FORTIN,
	Chairman.

Canadian Pacific Railway Co.,  
Eastern Lines.

Montreal, Sept. 1st, 1908.

#### MEMORANDUM OF SETTLEMENT RE MORRISSETTE.

The Company to change his discipline from dismissal to suspension to July 1st, 1908, and to re-instate him as agent at Megantic without prejudice.

(Sgd.)	J. W. LEONARD,
	For Can. Pac. Ry.
(Sgd.)	G. D. ROBERTSON,
	For Telegraphers.
(Sgd.)	THOMAS FORTIN,
	Chairman.



XIII.—APPLICATION FROM EMPLOYEES OF THE MARITIME COAL, RAILWAY AND POWER COMPANY, LTD., CHIGNECTO, N.S.—BOARD ESTABLISHED—AGREEMENT CONCLUDED ON ALL POINTS.

Application received—July 2, 1908.

Parties concerned—Maritime Coal, Railway and Power Company, Ltd., Chignecto, N.S., and its employees.

Applicants—Employees.

Nature of industry concerned—Coal mining.

Nature of dispute—Wages and conditions of labour.

Number of employees affected—200.

Date of constitution of Board—July 6, 1908.

Membership of Board—Rev. W. Charles Wilson, Springhill, N.S., Chairman, appointed on the joint recommendation of the other members of the Board; Mr. Brunswick B. Barnhill, Two Rivers, N.S., appointed on the recommendation of the Company; Mr. R. B. Murray, Springhill, N.S., appointed on the recommendation of the employees.

Report received—July 27, 1908.

Result of enquiry—Agreement concluded on all points for a period of two years from July 31, 1908; strike averted.

The application of Chignecto Lodge No. 54, Provincial Workmen's Association, for the establishment of this Board, set forth that the dispute arose out of a request on the part of the employees for a new agreement with respect to prices to be paid at the Chignecto mines and to other matters governing the relations between the Company and its operators which were submitted in the form of a memorandum attached to the operatives' application. The Company submitted a reply in which a counter proposition was made with respect to wages, and intimated a desire to discuss the general question of wages with a commission representing the Lodge. The Board met at Maccan, N.S., on July 14, at Chignecto Mines, N.S., on July 15, 16 and 17; and at Amherst, N.S., on July 23, 24 and 25.

Its report was unanimous and contains a complete new schedule of wages and working conditions. It was also stated in the report that an agreement had been arranged between the Company and its employees as to the majority of the points at issue, while on the other points the Board had unanimously reached a basis of agreement. Especial comment was also made in the findings on the conciliatory attitude of the parties concerned and the final clause of the report recommended that the agreement should continue in force for two years from July 31, 1908. An appendix to the report contained a written acceptance of the recommendations on the part of the employees, and a statement from



the Company that it would not agree to accept the decision "as from present indications it looks as though there must be a reduction in the cost of producing coal in this Province in the near future." In the meantime it was understood that operations in the Chignecto Mines proceeded on the basis recommended by the Board.

#### REPORT OF BOARD.

The text of the report of the Board is as follows:—

In the matter of the Industrial Disputes Investigation Act 1907, and in the matter of a dispute between Chignecto Lodge No. 54, Provincial Workmen's Association, Employees, and Maritime Coal, Railway and Power Company, Limited, Employers.

The Board composed of B. B. Barnhill, representing the employer, R. B. Murray, representing the employees, and Rev. W. Charles Wilson, chairman, met at Maccan on the morning of July 14th, at which time and place the members of the Board took the required oaths of office and the business of arranging the mode of procedure, and places and plans of meetings were decided on.

On the afternoon of the same day, the second sitting of the Board was held at Orange Hall, Chignecto Mines, and the evidence of several witnesses, was taken. Subsequent meetings, comprising two sessions each day, were held on the 15th, 16th and 17th of July at the same place. Adjournment was had on the evening of the 17th for the Board to reconvene at Amherst on the 23rd of July at 2.30 o'clock p.m. for perusing and weighing the evidence, in the endeavour to arrive at a satisfactory and unanimous decision, and for the further purpose of preparing a report on the matters submitted to them. On July 23rd and 24th two sessions of the Board were held each day in accomplishment of this purpose and a half day session was held on July 25th.

The nature of the case in dispute between the parties was in respect to a proposed agreement comprising 33 sections for prices to be paid at the Chignecto Colliery, and with respect to other matters governing the relations between the Company and the lodge and fully set out in the following schedule:—

No. 1. All the employees to become members of Chignecto Lodge, No. 54, P.W.A.

No. 2. No employees to be discharged unless the case is referred to Managing Committee of said Lodge.

No. 3. Company to send clean coal to its employees.

No. 4. Responsible man to take tallies off boxes.

No. 5. Houses to be kept in repair by Company and rent reduced.

No. 6. Number of bank hands arranged according to quantity of coal turned.

No. 7. All bank hands to cease work at 5 p.m., after that time to be paid extra.

No. 8. No boy allowed to perform a man's work.

No. 9. Company to keep a proper supply of water for use of tenants.

No. 10. All outside labourers and mechanics to be granted an advance of fifteen per cent. from the date hereof.

No. 11. In the event of closed lights being introduced into the mine, sufficient compensation to be allowed for such.

No. 12. Miners to be paid ten cents per prop, fifteen cents per boom,



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five cents per yard, for laying roads in boards or long wall, sixty cents per butt, butts four feet square, forty-five cents per butt when bench is not taken up.

No. 13. All stone in excess of four inches to be paid at the rate of five cents per inch per lineal yard.

No. 14. All heads to be paid at the rate of \$1.50 per yard up to 35 feet, over 35 feet, \$2.00 per yard.

No. 15. Sufficient supply of tallies to be given each miner.

No. 16. No employee to be sent home who refuses to work at any other work than his own.

No. 17. That the "butty" system be abolished except when the men desire one.

No. 18. No work to be set by tender except balances.

No. 19. Two cents per box to be paid extra when boxes have to be teamed over 350 feet, over 450 feet 1 cent per box in addition for every 50 feet.

No. 20. Employees to be given a time sheet every fortnight.

No. 21. Docking system to continue as now in force.

No. 22. All coal to be paid at the rate of 70 cents per ton in tight work, 60 cents per ton long wall and pillar.

No. 23. Riding rakes to be put on 6.15 a.m., and all men to be given tickets as they come on bank in the morning, men to be at bottom of mine by 7 a.m. Riding rakes to be put on at 3.45 during the week, Saturdays at 3.30 p.m.

No. 24. When management know the night before that the following day is to be an idle one, whistle to blow at 9 p.m. which will be signal the mine will be idle the following day.

No. 25. The following days to be considered holidays, viz., Labor, Dominion, Victoria, and Christmas Day.

No. 26. Any special work between 12 Saturday night and 12 Sunday night to be paid at rate of time and a half.

No. 27. That a paper hang at tally house showing each day's coal, such paper to be hung up not later than the following morning.

No. 28. Company to supply the following tools to miners, picks, drills, shovels, stemmers and needles; worn out or broken tools when returned to store to be replaced free of charge, and picks, drills and augers to be sharpened by Company free of charge.

No. 29. Tools maliciously damaged or lost by workmen to be paid for by workmen. Pick handles ten cents each. When a man leaves Company's employ, the value of any tool not returned shall be paid for by him.

No. 30. If any employee is absent on whom depends getting out coal, such as landing tender, etc., the officials shall fill his place for the day by an employee selected from the works. On such occasion the rate paid shall be the same as such employee is receiving at his regular work, but not to exceed \$2.00 per day.

No. 31. In case the mine knocks-off during the day, riding rakes to be put on at 9.30 a.m. per quarter day, 12.30 for 1/2 day, 2 p.m. for 3/4 day, after 2.30 p.m., full day to be allowed.

This clause to apply to underground men and boys engaged in getting out coal, unless it is necessary to get out coal already mined or for development work, then they shall continue the same as if the mine had not knocked off.

No. 32. Driving levels, \$3.50 per yard and paid for coal.

No. 33. This agreement to continue in force for the period of 2 years.



To this schedule the Company made the following statement in reply:—

Officers and Members of Chignecto, P.W.A.,  
Chignecto, N.S.

Gentlemen:—

We beg leave to notify you that we have decided to establish a price for pillar and long wall work at Chignecto, which will take effect on the first day of June, 1908.

We herewith submit same to you for approval.

Pillar both east and west, 25 cents per box. Stone 5 cents per lineal yard of pillar for all stone in excess of six inches.

Long wall, 27 cents per box for coal; 40 cents for butts where bench is lifted and 25 cents for butts where bench is not taken out.

We would, furthermore, like to meet your committee and discuss the matter of general wages, as we feel we would be obliged to ask you for a general reduction from last year's prices to enable us to continue our work at Chignecto.

Last year with present rates, we made no money, this year, coal has dropped 25 cents per ton, and we will be obliged to get concession to meet this.

We wish to meet you frankly on this question and see if we cannot get at a mutual arrangement for a reduction in the cost of producing coal.

The members of the Board are pleased to state that owing to the conciliatory attitude of all concerned, coupled with the patient efforts of the Board, the following sections in the schedule were ultimately eliminated or mutually amended and agreed upon, viz.: Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 27, 28, 29, 30, 31. Such eliminations and amendments agreed upon are as follows:

No. 1. Eliminated, and the Board places the following on record with respect to it.

"The Board viewed with much satisfaction the apparently very cordial and friendly relations which subsisted between the employer and employees at this colliery, and deem it inexpedient to interfere in the matter, further than to state its recommendation and hope that such happy relations may continue. It is the opinion of the Board, from the evidence adduced, that it would be unnecessary to incorporate this section in any schedule of agreement between the parties."

"No. 2. Eliminated, and the following is substituted therefor:—'On the suspension of an employee for any infraction of the mine rules or for any other cause, the employee within thirty-six hours after such suspension shall have his case referred to the General Manager or his representative and a Committee of the Lodge, and the finding in such case shall govern. And the Board recommends that in all such cases so to be referred the suspended employee should first place his case before the manager for adjustment. Nothing in this recommendation shall mean an extension of the time for a hearing before the General Manager or his representative and the Committee of the Lodge.'"

"No. 3. Agreed upon, and the Board defines 'Clean Coal' to mean the same as coal customarily sold to the public."

No. 5. The following substituted:—"Company shall keep the houses in repair at present rent rates. Tenant employees shall not be liable for damages or repairs to houses previous to 1st April, 1908."



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No. 9. The following substituted:—"Company to keep a proper supply of water for use of tenants but employees shall not maliciously or negligently injure or destroy the pumps."

No. 10. In lieu of this section, the following advances are recommended for the classes of outside labour as named: "Ash wheelers from \$1.35 to \$1.50, screen men \$1.35 to \$1.50, box car loaders \$1.40 to \$1.50, bank men \$1.40 to \$1.50."

No. 12. The following is substituted:—"For laying roads in tight bords or long wall, when miners carry the rails, 10 cents per yard, and nothing to be paid if rails are delivered at bord end or gateway of long wall. Butts 4x4, 50 cents each when bench is taken out and 30 cents each for butts on the bench. The Board is of opinion that the claim made for payment for timber in coal mining is as a rule legitimate, but in this instance it is evident that such payment for timber has been part of the consideration of the rates paid per car."

No. 13. The following is substituted in view of the conditions obtaining at this colliery:—"All stone in excess of 6 inches on the bench to be paid at the rate of 5 cents per inch per lineal yard."

No. 14. The following is substituted:—"All heads to be paid for at the uniform rate of \$1.50 per yard."

No. 19. The following is substituted:—"2 cents per car to be paid extra when cars have to be pushed over 350 feet."

No. 20. Amended as follows:—"Employees to be given a time sheet every half month."

No. 29. Amended by striking out the word "maliciously" in the first line and substituting "negligently" therefor.

No. 30. Amended by striking out the word "shall" in the second line and substituting the word "may" therefor.

The following sections in the application for this reference, that is to say, 4, 6, 7, 8, 11, 15, 16, 17, 18, 21, 22, 23, 24, 25, 26, 27, 28, 31 and 33 were mutually agreed upon between the parties during the sittings of the Board, the Board making short adjournments from time to time in order to bring about this conciliatory result. The Board naturally confirms these sections and recommends their adoption.

The remaining sections of the application, viz.: 7, 11, 16, 17, 18, 22, 26, 32 and 33 were disposed of by the Board as follows:—

No. 7. Eliminated, on the grounds that in the opinion of the Board it was beyond the powers of the Board in this instance to lessen the hours of labour.

No. 11. Eliminated, on the ground that the Board would not adjudicate on non-existent or prospective disputes.

Nos. 16, 17 and 18. Eliminated, by the employees through the recommendation of the Board.

No. 22. Eliminated, by the Board on the ground that the Company, having no scales on their bankhead to weigh coal, payment for same therefore cannot be made by the ton. "The N. S. Mines Act" provides for the installation of scales.

No. 26. The Board recommends the adoption of this section as set out in the application.

No. 32. The Board recommends with respect to this section, as follows:—"Driving levels \$3.50 per lineal yard and paid for coal, mine bord \$2.00 per lineal yard and paid for coal."

No. 33. The Board recommend the adoption of this section as set out in the application.



## NEW SCHEDULE RECOMMENDED.

The Board recommends the following as the new and complete schedule and is their unanimous finding on the points in dispute:—

“Agreement between the Maritime Coal, Railway and Power Company, Limited, and Chignecto Lodge, No. 54, P.W.A., with respect to prices to be paid at the colliery and with respect to other matters governing the relations between the said Company and the said lodge.”

No. 1. On the suspension of an employee for any infraction of the mine rules or for any other cause, the employee, within 36 hours after such suspension shall have his case referred to the General Manager or his representative and a committee of the lodge, and their finding in such cases shall govern. In all such cases so to be referred the suspended employee shall first place his case before the manager for adjustment. Nothing herein shall mean an extension of the time for a hearing before the General Manager or his representative and the committee of the lodge.

No. 2. Company to send clean coal to its employees of a quality the same as is customarily sold by the Company to the public.

No. 3. Responsible person to take tallies of boxes.

No. 4. Company shall keep the houses in repair at present rent rates. Tenant employee shall not be liable for damages or repairs to houses previous to 1st of April, 1908.

No. 5. Number of bank hands arranged according to quantity of coal turned.

No. 6. No boy allowed to perform a man's work.

No. 7. Company to keep a proper supply of water for use of tenants, but employees shall not maliciously or negligently injure or destroy the pumps.

No. 8. The following rates shall be paid for these classes of outside labour per day: Ash wheelers \$1.50, screen men \$1.50, box car loaders \$1.50 and bank men \$1.50.

No. 9. Laying roads in tight bords or long wall, when miners carry the rails, 10 cents per yard, and nothing to be paid if rails are delivered at bord end or gateway of long wall. Butts 4x4, 50 cents each when bench is taken up, and butts 4x4, 30 cents each on the bench.

No. 10. All stone in excess of 6 inches on the bench to be paid for at the rate of 5 cents per inch per lineal yard.

No. 11. All heads to be paid for at the uniform rate of \$1.50 per yard.

No. 12. Sufficient supply of tallies to be given to each miner.

No. 13. Two cents per box to be paid extra when cars have to be pushed over 350 feet.

No. 14. Employees to be given a time sheet every half month.

No. 15. Docking system to continue as now in force.

No. 16. Riding rakes to be put on at 6.15 a.m., and all men to be given tickets as they come on bank in the morning, men to be at bottom of mine at 7 a.m.; riding rakes to be put on at 3.45 p.m. during the week. Saturday 3.30 p.m.

No. 17. When management know the night before that the following day is to be an idle one, whistle to blow at 9 p.m.

No. 18. Following days to be considered holidays, viz.: Labour, Dominion, Victoria and Christmas Day.

No. 19. Any special work between 12 Saturday night and 12 Sunday night to be paid at the rate of time and a half.



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No. 20. A paper to hang at tally house showing each day's coal, such paper to be hung up not later than the following morning.

No. 21. Company to supply the following tools to miners: Picks, drills, shovels, stemmers and needles. Wornout or broken tools when returned to store to be replaced free of charge, and picks, drills and augers to be sharpened by company free.

No. 22. Tools negligently damaged or lost by workmen to be paid for by workmen. Pick handles, 10 cents each. When a man shall leave Company's employ, the value of any tool not returned shall be paid for by him.

No. 23. If any employee is absent on whom depends getting out coal, such as landing tender, etc., the official may fill his place for the day by an employee selected from the works. On such occasion the rate paid shall be the same as such employee is receiving at his regular work, but not to exceed \$2.00 per day.

No. 24. In case the mine knocks off during the day, riding rakes to be put on at 9.30 a.m. for 1-4 day, 12.30 p.m. for 1-2 day, 2 p.m. for 3-4 day, after 2.30 p.m. full day to be allowed. This section to apply to underground men and boys engaged in getting out coal, unless it is necessary to get out coal already mined, or for development work, then they shall continue the same as if the mine had not knocked off.

No. 25. Driving levels \$3.50 per lineal yard and paid for coal, mine bords \$2.00 per lineal yard and paid for coal.

No. 26. This agreement to continue in force for the period of two years from 31st July, 1908."

## ATTITUDE OF RESPECTIVE PARTIES.

Before the adjournment of the Board at Chignecto Mines, the chairman asked the respective parties if they wished to make this a Board of Arbitration or a Board of Conciliation, and requested written replies. The following was received from the Company:—

"Our Company feel that under the present state of the market, and the outlook for the future, that they would not care to agree to accept the decision, as from present indications it looks as though there must be a reduction in the cost of producing coal in this Province in the near future."

"(Sgd.)

DAVID MITCHELL,  
"General Manager."

The Lodge sent the following:—

"I am directed to notify you that the Lodge is willing and anxious to have the dispute referred to your Board as a matter for arbitration and not conciliation, and that the finding of your Board shall be final and binding on both parties to the dispute."

"(Sgd.)

RONALD BUXTON,  
"Secretary."



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The Board desires to state that they have spent much time and labour to effect an unanimous and conciliatory finding, and they express the hope that both the employer and the employees will accept the full report of the Board.

Herewith enclosed are the minutes of evidence taken, together with the exhibits therein referred to.

All of which is respectfully submitted.

(Sgd.) W. CHAS. WILSON,  
Chairman.

(Sgd.) B. B. BARNHILL,

(Sgd.) R. B. MURRAY.

Dated at Amherst, N.S., 25th of July, 1908.

HONOURABLE RODOLPHE LEMIEUX,  
Minister of Labour, Ottawa.



XIV.—APPLICATION FROM EMPLOYEES OF THE COBALT CENTRAL MINING COMPANY, LIMITED, COBALT, ONTARIO — BOARD ESTABLISHED—UNANIMOUS REPORT BY BOARD—NO CESSATION OF WORK.

Application received—July 20, 1908.

Parties Concerned—Cobalt Central Mining Company, Ltd., Cobalt, and its employees.

Applicants—Employees.

Nature of industry concerned—Metalliferous mining (silver).

Nature of dispute—Wages and hours.

Number of employees affected—105.

Date of constitution of Board—August 22, 1908.

Membership of Board—Mr. John A. Ewan, Toronto, Chairman, appointed by the Minister in the absence of any joint recommendation from the other members of the Board; Mr. Ewan finding himself unable to act withdrew from the Board and was succeeded by Prof. S. J. McLean, of the University of Toronto; Mr. E. C. Fraleck, Cobalt, was appointed a member of the Board on the recommendation of the Company, and Mr. Charles B. Duke, Cobalt, on the recommendation of the employees.

Report received—August 29, 1908.

Result of enquiry—Strike averted.

The employees concerned in this dispute were described in the application as miners, engineers, carpenters and labourers. The application set forth that “on July 1 the men were called together early in the morning and were told by the Superintendent that the mine would be closed down for that day and that the men were discharged. He then told them that they could get their places back by applying the next day, but that the hours should be increased to 10, and the wages reduced to 25 cents from attached schedule.”

A meeting was held by the employees on the same day, and it was decided to send a committee of three to the Company to ask for a settlement at 25 cents reduction on a 9 hour basis. It was stated by the men that the Company absolutely refused this proposal, and application was thereupon made to the Minister of Labour for the establishment of a Board of Conciliation and Investigation. Mr. Jacob W. Young, General Superintendent of the Company, in a statement in reply to the application, said he was unable to justify to the shareholders of his Company a continuance of the high wages he had been paying.



PROCEEDINGS BEFORE THE BOARD.

During the proceedings before the Board much interesting information was submitted concerning the duration of the working day and the attitude thereto of various managers. The following details are obtained from the lists of those contributing to the Miners' Hospital:—

On Ten hour day.	No. of men.
Chambers-Ferland .....	36
Silver Queen .....	76
Cobalt Lake .....	80
Coniagas ... ..	138
Right of Way .....	76
Beaver .....	22
Kerr Lake .....	100
Tretheway .....	110
Nipissing .....	450
Cobalt Central .....	95
Buffalo .....	140
O'Brien .....	181
Trinity Cobalt .....	128
Provincial .....	21
Drummond .....	70
Crown Reserve .....	40
Silver Leaf .....	35
	<hr/>
	1,798

On Nine Hour Day.	No. of men.
Foster .....	39
Nova Scotia .....	72
Temiskaming .....	85
Larose .....	150
City of Cobalt .....	72
McKinley-Darragh .....	153
Townsite .....	29
	<hr/>
	600

In a statement in evidence Mr. J. C. Houston, Manager of the Right of Way Mining Company, stated that he was satisfied he could carry on his mine at as low cost on a basis of nine hours as on one of ten hours. He stated that he was working his mine on a ten hour schedule simply because he had accepted this schedule with a view to arriving at uniformity in the hours of labour in mining. Other representatives stated that their companies were entirely satisfied with the results of the nine hour day. On the other hand, the managements of certain mines were opposed to the nine hour day, and their attitude was stated to be the chief obstacle in the way of the more general acceptance of the shorter day. The reference in the third clause of the findings of the Board to Professor Mickle to determine the respective costs of the nine hour day and of the ten hour day, is explained as being due to the fact that the management of the mine justify a change to the ten hour day in part by a reference to the question of costs. Prof. Mickle as provincial mine assessor is necessarily acquainted with the costs of operation and will have ready access to the material. No other person, it is added, occupies the same position with respect to the Cobalt mines.



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## WAGES SCHEDULE PRIOR TO JULY 1.

The following is the wages schedule in force at the Standard Cobalt Mines, Limited, prior to July 1, 1908:—

## MINE.

Machine men .....	\$3.50	per shift of nine hours.
Machine helpers .....	3.00	" "
Hand miners .....	3.00	" "
Pumpmen .....	3.00	" "
Timbermen .....	3.50	" "
Timber helpers .....	2.75	" "
Trammers .....	2.75	" "
Muckers .....	2.75	" "
Cage tenders .....	3.00	" "
Hoistmen .....	3.10	" "
Deckmen .....	2.50	" "
Head Blacksmith .....	4.00	" "
Blacksmith .....	3.50	" "
Blacksmith's helpers .....	3.00	" "

## MILL.

Jigmen .....	\$3.00	per shift of twelve hours.
Tablemen .....	3.00	" "
Samplers .....	2.75	" "
Engine tenders .....	3.50	" "
Other labour .....	2.50	" "

## POWER HOUSE.

Engineer .....	\$3.50	per shift of twelve hours.
Firemen .....	3.25	" "
Pipe fitters .....	3.00	" Nine
Machinists .....	3.50	" "
Carpenters .....	3.50	" "
Teamsters .....	2.75	" "

## SURFACE LABOUR.

Labour .....	\$2.50	per shift of nine hours.
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The Standard Cobalt Mines, Limited, it may be added, is the Company controlling the Cobalt Central Mining Company.

A letter from the Chairman to the Department stated that the members of the Board nominated by the Company and employees respectively were endeavouring to obtain the formal consent of these parties to the provisions of the award. The Department received word on September 7 from Mr. Jacob W. Young, Manager of the Standard Cobalt Mines, stating as follows: "Am pleased to say that the findings of the Board are acceptable to the Company as a settlement of the differences with its employees."

## FINDINGS AND COVERING LETTER.

The following is the text of the findings of the Board and of a covering letter from the chairman, addressed to the Deputy Minister:—

Ottawa, Ont., September 1, 1908.

Dear Mr. King:—

The Board in the Cobalt Central Mining Company case held its sessions at Cobalt from August 25th until August 29th. On the evening



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of August 27th the chairman of the Board explained the provisions of the Industrial Disputes Investigation Act to the employees at the mine. Later in the same evening he attended a conference between representatives of the employees and representatives of the management.

In the course of the evidence brought before the Board material was submitted bearing on the advisability of more uniform conditions of employment throughout the Cobalt mining camp. In the case before the Board the question at issue was narrowed down to the question of the length of the working day. The chairman of the Board and Mr. C. B. Duke, one of the members of the Board, are of the opinion that in any movement for uniformity of hours of labour in the Cobalt mining camp the nine hour day is preferable to the ten hour day.

After a careful consideration, which was characterized by an extremely fair and broadminded attitude on the part of the members of the Board representative of the respective parties to the dispute, the attached recommendation was unanimously agreed upon.

Very truly yours,

(Sgd.) S. J. McLEAN.

W. L. MACKENZIE KING, ESQ., C.M.G.,  
Deputy Minister of Labour, Ottawa, Ont.

#### FINDINGS.

Cobalt, August 29, 1908.

In the matter of the Industrial Disputes Investigation Act, 1907, and of a dispute between the Cobalt Central Mining Co., Ltd., Employer, and Employees of the said Company, Employees.

The Board appointed under the Act makes the following recommendation:—

1. We are of the opinion that the action of the management in terminating on July 1st, 1908, without adequate notice, the hitherto existing arrangements in regard to hours of labour and wages, and abruptly informing the men that they would be continued only on a ten hour day and a reduction of 25 cents per day, was unfair to the men.

2. The Board strongly recommends that the management of the Cobalt Central Mining Company should not make any reduction in the scale of wages or the hours of labour in force since July 1st, 1908, until May 1st, 1909.

3. If, however, by December 1st, 1908, after the examination of the books of the Company by Prof. Mickle, the Mine Assessor, it is found that the cost of mining operations in the period September 1, 1908, to December 1st, 1908, is not less under the ten hour day than under the nine hour day, that the Company then place the men on the nine hour day.

(Sgd.) S. J. McLEAN.  
Chairman.

(Sgd.) E. L. FRALECK.

(Sgd.) C. B. DUKE.



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## XV.—APPLICATION FROM CAR MEN OF THE QUEBEC AND LAKE ST. JOHN DIVISION OF THE CANADIAN NORTHERN QUEBEC RAILWAY COMPANY—BOARD ESTABLISHED — AGREEMENT CONCLUDED ON ALL POINTS.

Application received—August 21, 1908.

Parties concerned—Quebec and Lake St. John Division of the Canadian Northern Quebec Railway Company and its employees.

Applicants—Employees.

Nature of industry concerned—Railways.

Nature of dispute—Wages and conditions of labour.

Number of employees affected—49.

Date of constitution of Board—September 30, 1908.

Membership of Board—Mr. Cyrille Tessier, Quebec, was appointed Chairman on the joint recommendation of the other members of the Board, but notified the Department that it would be impossible for him to undertake the duties of the position. Mr. Ludovic Brunet, Quebec, was accordingly appointed to succeed Mr. Tessier as Chairman, on the recommendation of the other members of the Board. Mr. Edward A. Evans, Quebec, was appointed a member of the Board on the recommendation of the Company, and Mr. Alfred Chartrain, Montreal, on the recommendation of the employees.

Report received—November 19, 1908.

Result of inquiry—Agreement concluded on all points; strike averted.

The application in this case referred to certain efforts which had been made by the carmen employed on the Lake St. John division of the Canadian Northern Quebec Railway to obtain from the Company certain increases of wages and improvements of conditions generally in the workshops on this line. A statement from Mr. F. M. Spaidal, General Manager of the Railway, was received in the Department on August 31 in reply to the statement of grievances accompanying the application. The statement on behalf of the Company set forth that the General Manager had met a committee of the men during May, July and August last to discuss the question of a new schedule, and that in the matter of wages it was stated "the men were informed that owing to decrease in traffic which was common to all railroads the Company was unable to increase its rates. It was also proven to the men that their rates compared favourably and in many respects were higher than wages paid on other roads of similar standing." Copies of statements showing contemporary rates at Quebec as paid by the Quebec, Montreal and Southern Railway Company accompanied the letter. With reference to shop facilities it was alleged that the sanitary conditions were satisfactory, the shops being well heated and comfortable for the men to eat their noon meal.



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With regard to the general conditions of work the Board found that there was no ground for a special grievance on the part of the men. Concerning the question of wages a special schedule was framed to take effect from the 1st of December, and to remain good for a period of one year, which improved the situation of the men in certain classes, particularly the coach, locomotive and freight painters, car repairers and the blacksmiths' helpers. The following table shows respectively the rates of wages in the various classes prior to December 1, and the rates recommended in the report of the Board.

## SCALE OF WAGES.

## CAR DEPARTMENT EMPLOYEES.

	Old Rate.	New Rate.
Carpenters, coaches, benches and cab.....	16 c. to 20½c.....	16 c. to 20½c. per hour.
Freight carpenters.....	16 c. " 17 c.....	16 c. to 17 c. "
Painters, coach and locomotive.....	15 c. " 21 c.....	17 c. to 21 c. "
Freight painters.....	15 c. " 21 c.....	" " " "
Car cleaner.....	14 c. " 14½c.....	14½c. "
Lamp cleaner.....	14 c. ....	" " "
Tinsmiths.....	19 c. ....	20 c. "
Car repairers.....	12½c. " 17 c.....	14½c. to 17 c. "
Blacksmiths' helpers.....	10 c. ....	14 c. "

## FINDINGS OF THE BOARD.

The following is the text of the report of the findings of the Board:

Quebec, 17th November, 1908.

THE HON. RODOLPHE LEMIEUX,

Postmaster-General and Minister of Labour, Ottawa, Ont.

Dear Sir:

In the matter of certain differences between the Canadian Northern Quebec Railway Company (Quebec & Lake St. John Railway Company) and certain of its employees, being members of the Brotherhood of Railway Carmen of America, which has been referred to us for settlement under the Industrial Disputes Investigation Act, we, Ludovic Brunet, P. J. Jobin and Edward A. Evans, all of the city of Quebec, having been appointed by the employees and the Company to investigate the differences in question, beg to report as follows:—

As regards the rules and regulations governing the employees, members of the Brotherhood of Railway Carmen of America, we found that certain rules and regulations had already been agreed upon, and as a consequence, no action was taken in this respect.

With regard to the petition of the employees for additional protection to life and means of avoiding personal injury, having visited the yards in the city of Quebec and in Limoilou we are of the opinion that the repair tracks specially set apart for the men to work are properly laid out and every means taken to prevent any possibility of injury to the car repairers while working at their different occupations.



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As regards the shops, closet and other accommodation, we do not feel in a position to make any recommendations as regulations governing these are provided for in the Factory Inspection Act, Quebec, and it is a matter appertaining to the duties of the Factory Inspector under this Act, who has powers to enforce rules and regulations providing for the safety of employees and the hygienic conditions of the shops. We found, however, that the shops were exceptionally well lighted, and that at Limoilou especially, the employees had every accommodation for obtaining their meals.

As regards the question of wages, your Board of Conciliation decided to call in Mr. J. Desrosiers, Chairman of the Protective Board, Mr. F. Legaré, Vice-Chairman, Mr. Jules Belanger, Recording Secretary, Mr. Jos. Robitaille and Mr. H. Foy, on behalf of the employees, and Mr. F. M. Spaidal, Superintendent of the Railway Company, on behalf of the Company; but, with the exception of Messrs. Desrosiers and Spaidal, we found that it was not necessary to call upon the other gentlemen mentioned. As a result of this conference, which took place at the Court House, Quebec, on Monday, the 16th inst., it was agreed that the following maximum and minimum rates should apply:—

Carpenters, cab, coach and bench .....	16 c. to 20½c. an hour
Freight carpenters.....	16 c. " 17 c. "
Painters, coach, locomotive and freight.....	17 c. " 21 c. "
Washer painters, lamp cleaners and car cleaners .....	14½c. "
(Upon the understanding that should there be any employees at present in the employ of the Company obtaining a higher rate, said higher rate should not be disturbed).	
Car Inspectors.....	20 c. "
Tinsmiths.....	20 c. "
Car repairers.....	14½c. " 17 c. "
Blacksmiths.....	20 c. "
Blacksmiths' helpers.....	14 c. "

It was found that air brake cleaners, and testers, and pattern makers were not applicants for any change in the existing rate of pay, and as a consequence your Board did not consider the question of rates regarding them.

The above schedule of wages to take effect on the first day of December, 1908, and to continue in force for one year and thereafter unless thirty days' notice is given by either side of a change.

We are pleased to be able to report that the conference between your Board and Mr. Desrosiers, representing the employees, and Mr. Spaidal, representing the Company, was of a most satisfactory nature, and the schedule of wages as mentioned above, as also the other subjects mentioned, were accepted by Messrs. Desrosiers and Spaidal as satisfactory, the relations between the employees and the Company appearing to us to be harmonious.

Yours respectfully,

(Sgd.) LUDOVIC BRUNET,  
Chairman.

(Sgd.) P. J. JOBIN,  
Representative of the Employees.

(Sgd.) EDWARD A. EVANS,  
Representative of the Company.



XVI.—APPLICATION FROM FIREMEN AND ENGINEERS OF THE  
CANADIAN PACIFIC RAILWAY COMPANY — BOARD ESTAB-  
LISHED—AGREEMENT CONCLUDED ON ALL POINTS.

Application received—August 22, 1908.

Parties concerned—Canadian Pacific Railway Company and Firemen and  
Engineers in its employ.

Applicants—Employees.

Nature of industry concerned—Railways.

Nature of dispute—Alleged wrongful dismissal of certain employees.

Number of employees affected—Directly, 2,000; indirectly, 5,000.

Date of constitution of Board—January 5, 1909.

Membership of Board—Honourable Mr. Justice Fortin, of the Superior Court,  
Montreal, Chairman, appointed by the Minister in the absence of any  
joint recommendation from the other members of the Board; Mr. Wallace  
Nesbitt, K.C., Toronto, appointed on the recommendation of the employ-  
ers; Mr. J. G. O'Donoghue, Toronto, appointed on the recommendation of  
the employees.

Report received—January 15, 1909.

Result of inquiry—Agreement concluded on all points; strike averted.

The differences in question in this matter were set forth in the application  
of the employees as follows:—

(1) The dismissal of Engineer William McGonegal, of Sault Ste. Marie,  
for alleged violation of rule 89 (a) of the Company's Rule Book, on November  
12, 1907. "Claim, wrongful dismissal; request reinstatement and pay for  
time lost."

(2) The dismissal of Engineer Thomas W. McAuley, of North Bay, for  
alleged recklessness in or about the month of November, 1907. "Claim,  
wrongful dismissal; request reinstatement and pay for time lost."

The Canadian Pacific Railway Company, in its statement in reply to the  
application, expressed its unwillingness to reinstate either of the two dis-  
missed employees, holding that both had been dismissed with good cause, and  
insisting that the provisions of the Act could not properly be invoked in  
respect to cases such as those indicated.

The position of the Company with respect to McGonegal was set forth  
as follows, namely: "The said McGonegal was, on November 12, 1907, in  
charge of engine 1568, train No. 116, east bound, and brought his train into  
collision with train No. 115, west bound, at mileage 102, five telegraph poles  
east of east switch at Blind River, on the Sault Ste. Marie branch of the Com-  
pany's railway. The collision, which resulted in injuries to persons and  
damage to property, was the direct result of said McGonegal attempting to  
take the switch at Blind River at the east end instead of the west end, in the  
disregard and violation by McGonegal of the Company's rules and regulations,  
and more particularly the violation of rule 89A, reading as follows:



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“At meeting points between trains fixed by train order form A or form P1 (superseding order mentioned above), the train of inferior class, or in the case of trains of the same class, the train in the inferior direction must, unless otherwise directed, take the siding, and must pull in when practicable. If necessary to back in, the train must first be protected as prescribed by rule 99.”

“The testimony taken on the investigation by the Company’s officials, and McGonegal’s own admission, furnish conclusive proof that he ran his train through the east end in the face of an incoming train, about which he had been advised, in disregard of the rule with which he was familiar, requiring him to enter the siding at the west end. The signed statement of the said McGonegal is as follows:—‘Received order No. 62 at Blind River, from Conductor Gaudet. This order was to meet 115 at Blind River. It required us to get into siding for No. 115. Did not do that. We pulled down to east end to back in. That could have been avoided, as we could have taken siding at west end.’ ”

The position of the Company with respect to McAuley was as follows:—

“The said McAuley was dismissed from the Company’s service for recklessness in the operation of his train under the following circumstances: The said McAuley was in charge of engine 1626 on November 21, 1907, and becoming stalled at or near mileage 82, had to take the front end of train to Azilda. On returning to pick up his train, he approached it too fast, resulting in collision and damage to the Company’s property.

“That said McAuley exercised poor judgment and reckless disregard of the safety of the Company’s property, and also was guilty of an infringement of rule No. 101A, which reads as follows:

“ ‘When a train doubles, the rear portion must be protected against the engine returning for it, by two torpedoes placed on the rails, two rails length apart, on the same side as the engineer of the returning engine, 500 yards (10 telegraph poles) from the front end of the rear portion, and in addition, at night or during foggy, smoky or stormy weather, a red light must be placed on the front end of the leading car of the rear portion. This, however, will not relieve enginemen and trainmen accompanying front portion from responsibility in carefully noting location of rear portion and returning to it with engine under proper control.

“ ‘Conductor will be held responsible for arranging protection as required.

“ ‘When at night or during foggy, smoky or stormy weather, an engine is cut from a train more than 60 feet from a water tank, for the purpose of taking water, a trainman must remain at the front end of the train with a light to indicate its location.’ ”

By agreement between the parties to the dispute, the proceedings were suspended for some months before the appointment of a chairman; on their resumption, Messrs. Nesbitt and O’Donoghue being unable to agree in a recommendation for a third member of the Board, the Minister appointed the Honourable Mr. Justice Fortin, of Montreal, to the Board, which was finally constituted on January 5. The inquiry was then proceeded with. The findings of the Board were signed by all the members, and sustained the contention of



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the Company with reference to the case of McGonegal, and the contention of the men with reference to the case of McAuley. Mr. O'Donoghue, however, the member of the Board appointed on the recommendation of the men, though attaching his signature to the findings, differed from his colleagues in the case of Engineer McGonegal. The members agreed unanimously with respect to both matters of dispute "that it should be clearly recognized by the employers and employed in the case of the public that the employer must have the inherent right of regulating, subject to the contract between the parties and the law of the land, the discipline and organization of the Company." The Department subsequently received a formal notification to the effect that the employees would abide by the findings of the Board, and the whole dispute was understood to have been amicably arranged.

#### TEXT OF FINDINGS OF BOARD.

The text of the findings of the Board is as follows:—

In the matter of the Industrial Disputes Investigation Act, 1907, and of the dispute between the Canadian Pacific Railway Company, Employer, and the Brotherhood of Locomotive Firemen and Enginemen, Employees.

The undersigned having been appointed at a Board of Conciliation and Investigation under the above Act, held at Montreal, on the 14th and 15th days of January, 1909, and having heard the parties, proceeded to investigate the following claims:—

In the matter of William McGonegal.

The majority of the Board came to the conclusion that the contention by Engineer McGonegal as to the construction of rule 89 (a) was incorrect, and that he should have backed his train and pulled into the siding.

Mr. O'Donoghue was of the opinion that the question of the practicability of pulling in or backing in was to be determined by the engineer on the ground, and the understanding of other engineers appears to support the contention of Mr. McGonegal.

The contention of the Company is therefore sustained.

In the matter of Thomas W. McAuley.

The Board having heard the parties, are of the opinion that the officers of the Company were justified, on McAuley's signed statement the day following the accident, in dismissing him.

It appears, however, that this was the first trip over this portion of the road by McAuley, and the Board would suggest that he should, in view of the further light that has been thrown upon the case by the discussion, apply for re-instatement.

In both these matters the Board are unanimously of the opinion that it should be clearly recognized by the employers and employed in the interest of the public that the employer must have the inherent right of regulating, subject to the contract between the parties and the law of the land, the discipline and organization of the Company.

Dated at Montreal, this 15th day of January, 1909.

(Sgd.) THOMAS FORTIN,  
Chairman.  
WALLACE NESBITT,  
For the Company.  
J. G. O'DONOGHUE,  
For the Brotherhood.



XVII.—APPLICATION FROM LOCOMOTIVE ENGINEERS EMPLOYED BY THE CANADIAN NORTHERN ONTARIO, THE CANADIAN NORTHERN QUEBEC AND THE QUEBEC AND LAKE ST. JOHN RAILWAY COMPANIES — BOARD ESTABLISHED — AGREEMENT CONCLUDED ON ALL POINTS.

Application received—August 22, 1908.

Parties concerned—Canadian Northern Ontario, the Canadian Northern Quebec and the Quebec & Lake St. John Railway Companies and Locomotive Engineers in their employ.

Applicants—Employees.

Nature of industry concerned—Railways.

Nature of dispute—Wages and conditions of labour.

Number of employees affected—Directly 81, indirectly 260.

Date of constitution of Board—September 14, 1908.

Membership of Board—His Honour R. D. Gunn, Junior County Judge of Carleton County, Chairman, appointed on the recommendation of the other members of the Board; Mr. F. H. Richardson, Toronto, appointed on the recommendation of the Companies; Mr. J. Harvey Hall, Toronto, appointed on the recommendation of the employees.

Report received—November 16, 1908.

Result of inquiry—Agreement concluded on all points; strike averted.

The application in this case was received in the Department on August 27, being signed by Mr. W. B. Best, of Winnipeg, General Chairman of the Brotherhood of Locomotive Engineers, and Mr. S. White, of Montreal, Secretary of the Brotherhood for the Eastern lines. The dispute related to a question of wages and general conditions of employment, schedules being put in with the application in question, representing in detail the demands made on behalf of the employees. The Minister decided to establish a Board, which was duly constituted as set forth above.

The demands of the employees were for an increase in the rate of wages and a uniform set of working articles, both which claims were resisted by the Company. The differences involved proved more than commonly difficult to adjustment, owing in part doubtless to the wide area over which the dispute extended and also to the fact that, although the employer was known generally as the Canadian Northern Railway system, and that proceedings with the Department were conducted through that Company, there were nevertheless three individual companies concerned in the dispute, known respectively as the Canadian Northern Ontario, Canadian Northern Quebec and Canadian Northern Quebec & Lake St. John Railways.

The Board, after some preliminary and unsuccessful efforts to bring about a settlement without proceeding to an investigation under the Act, found it



necessary to undertake a searching enquiry into the whole matter, and to that end held sessions in Ottawa and Toronto as occasion required, discussing the subject, moreover, in detail with the officers of the Companies and the members of the engineers' committee and took such evidence as was from time to time considered necessary. In conducting the investigation on these lines, it became necessary for the members of the Board to obtain a more intimate personal knowledge of the circumstances relating to a number of questions embraced in the dispute, such as switching points, terminals, provision for the comfort of the men at specified places, etc., and the Board accordingly inspected the three roads concerned, free transportation for the members of the Board and witnesses being furnished for this purpose by the Canadian Northern Railway Company. As a result of the knowledge obtained in this way, the Board found itself able to make a number of recommendations looking to an improvement of conditions under which engineers are compelled to work, especially at points where the men "are frequently forced to remain over night and some times after a long trip in most inclement weather." The suggestions of the Board in this direction were accepted by the Companies and instructions were immediately given to the superintendents to comply therewith.

The application for a schedule common to the three railways concerned was most carefully investigated and considered, and working articles were finally drawn up and set forth in two separate schedules attached to the report of the Board as applicable to the several roads figuring in the dispute, the terms of the respective schedules being identical.

As to the question of wages, the Board found, to quote from the report, that the lines "are each equipped with a standard type of motive power and the engineers on each line are an intelligent and efficient class of men, well qualified to discharge the responsible duties their engagement requires, and are performing the same duties, assuming the same responsibilities and incurring similar risks to engineers on other lines of railways." After carefully weighing all the arguments advanced and all the circumstances brought to light on this point, the Board decided that the wages paid the engineers were insufficient in comparison with the services performed and compared unfavourably with those paid by other lines. The Board took into account, however, the fact that having regard to the earnings, business done, and other circumstances with relation to the employing Company and the fact that the newer lines of railway offered prospects and opportunities of promotion not found on older roads, and the demand of the men with respect to wages were not considered in full. A schedule was submitted attached to the report setting forth the exact rates of wages recommended by the Board.

It was recommended by the Board that the schedule covering the working articles should come into effect from the date of the award, namely, November 12, 1908, while the schedule relating to the rates of pay should come into force from the 1st of January, 1909.

The Department was given to understand that the Board had received an informal intimation that the findings would be accepted by the parties to the dispute and that it subsequently received a formal acceptance on behalf of the employees. In further correspondence with the Department it was claimed by



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the Company that certain articles in the agreement did not conform with the Company's understanding of what had taken place when these matters were under discussion by the Board. With the modifications in question formal consent, however, was given by the Canadian Northern Railway Company to the findings of the Board in this matter.

## FINDINGS OF THE BOARD.

The text of the findings of the Board and of the schedules attached is as follows respectively:—

TO THE HONOURABLE RODOLPHE LEMIEUX,  
Minister of Labour,  
Ottawa.

The Board of Conciliation and Investigation appointed on the 14th day of September last under the Industrial Disputes Investigation Act, to whom were referred the disputes between the Locomotive Engineers, and the Canadian Northern Ontario, Canadian Northern Quebec, and Quebec & Lake St. John Railway Companies, having fully investigated the matters referred to them, humbly submit the following report:—

Pursuant to appointment the Board met at the Court House, Ottawa, on the 15th day of September last, and were attended by representatives of the Companies and engineers interested.

The dispute outlined in the application filed on behalf of the engineers, and the statement of their representatives present, to be fully understood, is shortly summarized in the following paragraph.

The locomotive engineers engaged on the C. N. O. operating between and having terminals at Toronto and Sudbury in the Province of Ontario, and the locomotive engineers on the C. N. Q. operating between and having terminals at Montreal, Hawkesbury, and Riviere a Pierre, and having one or more branches, and the engineers on the Q. & L. St. J. operating between and having terminals at Quebec and Chicoutimi, all in the Province of Quebec (numbering 81 directly and 260 indirectly interested), demand by their application filed in your Department an increased rate of wages and a uniform set of working articles, to govern their wages and duties on the aforesaid lines of railway, while the Company strenuously resist the application on both points.

The Board find that there was a schedule of rates and working articles signed by the engineers and management on the Q. & L. St. J. in September, 1907, and a distinct and separate schedule exists covering rates and working articles, on the C. N. Q., signed in July, 1907, and that no schedule exists severing either rates or working articles on the C.N.O., as it was more recently put in operation, and the engineers were supposed to be governed by the same schedule as the engineers on the C. N. Q.

The Board, in compliance with the provisions of the Act, occupied some time in an earnest and sincere endeavor to bring about a settlement of the whole dispute between the parties, but without any satisfactory results, and to emphasize their objections the Company filed written statements refusing to consider the question of increasing the rates on any of the lines, and requesting a full and complete inquiry into the dispute by the Board, and the representatives of the engineers filed a similar



statement, refusing to abandon any portion of their demand, and joined in the request for a full and complete investigation.

The Board, satisfied that further time or effort to effect a settlement of the dispute or any part of it would be uselessly spent, considered the question of procedure and concluded that the best results would be obtained by considering and settling the working articles set out in the application, and afterwards taking up the question of increased rates; and with that end in view adjourned to the head offices of the Companies in Toronto to discuss and consider the working articles with the Superintendent of the C. N. O., and the Board ordered and directed that the engineers committee from the C. N. O. be present.

As in duty bound, the Board in reassembling at Toronto further endeavoured to effect a settlement with the Chief Executive of the Company, but were met with a prompt and emphatic refusal by the officers of the Company, who quoted figures showing that the earnings and operating expenses on each line would not warrant any increase of wage, but raised no objection to the Superintendent assisting in the formation of working articles to cover each line, and its switching facilities and terminals.

The Board after entering on the consideration of the working articles and a discussion of the same with the Superintendent and Master Mechanic of the C. N. O., and the representative of the engineers on that line, found that it would be quite impossible to deal intelligently with and decide and report satisfactorily upon the many questions arising out of and embraced in the dispute, either as to wages or working articles, without a better knowledge of the different lines of railway—the switching points, terminals, and provisions made for the comfort of the men at specified places, and as the Company offered transportation and other facilities for the convenience of the Board and witnesses, and as much inspection work would not materially interfere with the consideration and composition of the working articles, and as very material evidence could be obtained at the least possible expense, and for other good reasons, the Board decided to make the inspection so strongly pressed for by both parties.

The inspection of the three different roads, and the switching facilities and terminals, and the discussion of the different matters with the engineers on each of the lines visited, including the examination of the places provided for the comfort of the engineers, engaged the attention of the Board for some days, but in the opinion of your Board this was time spent most profitably employed and resulted in the Board being able to recommend and advise as to the working articles and the application thereof to the three lines, to the entire satisfaction of all parties concerned.

At the close of the discussion upon the working articles, and after the evidence had been taken, the Superintendents of the different lines applied to the Board to be permitted to introduce a number of rules described as “Duties of Engineers,” but as the Companies had not filed, in compliance with section 19 of the Act, any statement in reply to the application of the engineers, and as such request came at a very late period in the investigation, and was strongly objected to by the engineers, the same was not granted for the reason that it was considered it would greatly prolong the proceedings, and embarrass the engineers, and was not, in the opinion of the Board, any part of the dispute legally referred to them, and to allow the introduction of a further set of rules at such a time would, in the face of the objection, lead to injustice. The Board further begged to point out that all parties have ample protection



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in a fair compliance with the plain and explicit provisions of the Act in setting forth their respective demands and answers, which are intended to outline the dispute referred to any Board under the Act.

The Board finds from the inspection of the terminals and turn around points on the different lines, and the evidence submitted, that no sufficient provision had been made for the comfort of the engineers at the points where they are frequently forced to remain over night and sometimes after a long trip in most inclement weather and recommended and advise that the Companies make such provision at such terminal points as none are now provided, and better the present conditions at other well-known points in this respect, so that many of the real hardships and great exposures which the engineers and crews undergo will be materially diminished, and instructions were given to the Superintendents to comply herewith, by the Company.

At the special request of the engineers the Board have defined the word *emergency* in the working articles, as it was pointed out that, owing to the great difference of opinion between the Superintendents and engineers over such class of service so extra hazardous to the engineers, much difficulty arose, and sometimes loss of life and destruction of valuable property occurred when the engineer was ordered to run against his better judgment or incur suspension or dismissal, if he refused.

The Board have most earnestly and carefully weighed and considered the evidence and arguments presented by the parties relating to the question as to the expediency and practicability of having all lines operated under one set of working articles, and have concluded to recommend and advise that the working articles set out in schedule "A," hereto attached, shall govern on the C. N. O., and the working articles set out in schedule "B," hereto attached, shall govern and control on the C. N. Q., and the Q. & L. St. J. Ry's., and report accordingly.

As urged and requested by the parties interested, the Board made a careful and exhaustive examination of the details of the earnings and operating expenses of the three roads, and examined different officials of the Companies, as well as the engineers, together with such other witnesses as the parties presented, for the purpose of ascertaining and gathering information on the question of increasing the rates, as no advance could be made toward a settlement, and the Board were compelled to make such careful and satisfactory examination as the circumstances demanded.

The Board found from their inspection of the lines that they are each equipped with a standard type of motive power and the engineers on each line are an intelligent and efficient class of men, well qualified to discharge the responsible duties their engagement requires, and are performing the same duties, assuming the same responsibilities, and incurring similar risks to engineers on other lines of railway. It is here fair to state that the officials of the Companies have submitted to the Board in answer to the demand for increased wages by the engineers that the engineers on the Q. & L. St. J. and the C. N. Q., in September, 1907, were granted an increase in rates, by which the Q. & L. St. J. engineers receives a slightly increased rate over the C. N. Q. engineers; the C. N. O. engineers are paid the same rate as the C. N. Q. engineers, and that the Company claims they are now paying for engineers' services all that they can reasonably afford under the earning circumstances of each line, and that they are not warranted in submitting to any increase on rates to the engineers out of the earnings of any of the lines in question, and that the demands of the engineers should not be pressed in the face of these facts.



This Board have, in addition, been referred to and read with considerable advantage the report of the Board dealing with the dispute of the Grand Trunk Railway Company and its Telegraphers, bearing date of January 13th, 1908, to be found in the *Labour Gazette* of February, A.D. 1908 (page 952).

After having fully considered all the facts and circumstances presented to them, this Board have concluded that the present rates paid on the lines concerned are insufficient to enable the engineers in view of the increased cost of living, to meet the necessities of life, maintain and educate their families according to their station, are below the rates paid by many other lines for the same service, are out of proportion to the rates paid other trainmen in the same service, are not fair compensation for the risk and responsibility assumed and skill required by the men in the capacity of engineers, do not provide "a living wage," and it appeared in evidence that on the lines in Quebec, the engineers were promised an increase in the near future, when they signed the schedule last in force.

Your Board also feels that while the rates demanded in the application are paid for engineers' services on other lines, it would, having due regard to the earnings, business done, and other circumstances relied on by the Company, be quite unreasonable to grant the demand in its entirety, and also that the engineers should take into consideration the prospects and opportunities on these newer lines for promotion, which it does appear will give opportunities for advancement that are not so easily obtainable on the older roads, and which prospects and opportunities to some extent entered into the consideration of the engineers when they took service at the present rates. This Board begs to report that schedule "C," hereto annexed, sets forth fair and proper rates to be paid the engineers for their services on the lines of railway under consideration.

This Board recommends that the working articles in schedules "A" and "B" hereto shall go into force and effect forthwith, and the rates relating to freight, mixed, snow plow, way freight, work trains, and for all other services, including passenger service, as set out in schedule "C," hereto, shall go into force and effect from and after the first day of January, A.D. 1909.

This Board further begs to report that they have entered upon this inquiry, conducted the investigation, and after a full and careful deliberation upon, and consideration of, the evidence and arguments presented, on behalf of all parties, have arrived at the conclusions set forth in this report.

Herewith is returned the evidence, papers filed, and other proceedings had and taken before the Board, including the oaths of office and the statements required by statute.

Dated this 12th day of November, 1908, A.D.

(Sgd.) R. D. GUNN,  
Chairman.

(Sgd.) J. HARVEY HALL,

(Sgd.) F. H. RICHARDSON.



## SCHEDULE "A"

TO THE REPORT HEREWITH ATTACHED—WORKING ARTICLES.

*Emergency*, wherever used in these articles, shall be construed to mean a duty or service necessary to prevent impending serious loss or irreparable damage to person or property; (b) Any special circumstance unexpectedly arising which engineer performing the service and official agree creates an emergency.

1. Road engineers will be paid for switching at terminal and turnaround points at through freight rates, except on specified runs and as otherwise provided for; time to count from the time the engine is ordered until switching is completed; each six minutes to count one mile switching tickets to be certified to by agent, conductor, or yardmaster.

(b) 100 miles or ten hours to constitute a day, overtime pro rata.

2. Engineers tied up between terminals, whether engine dead or alive, will be paid full time until relieved of duty and supplied with conveyance to terminal, when dead heading mileage only will be paid.

3. An engineer in charge of an engine ordered over any section (not under construction) with which he is not familiar, shall be furnished with a competent pilot, in addition to engine crew.

4. Engineers will not be required to haul any cars when running engine extra, except water car.

(b) Engineers will not be required to let engine in and out of shop track, except when running light.

5. Engineers assigned to snow plow service shall be considered as held for special service, and shall receive one day's pay for the first ten hours of each twenty-four hours so held. If held for less than ten hours for such service, engineers will be paid pro rata per hour. Tenders for all engines handling snow plows are to be covered with tarpaulin, and equipped with slide curtains on back boards.

(b) Except in cases of emergency, engineers pushing snow plows will not be required to haul any cars excepting necessary cars containing coal supply and boarding cars for workmen.

6. Engineers taken off their trains between terminals for work train service, and continuing their original trip afterwards, will be paid at work train rate from the time engine was taken off train until time of continuing trip commences; such time to be deducted when computing overtime.

7. Engineers taking engine out of shop on trial trip will be paid 100 miles for such services, but must leave engine equipped for road service, and will be paid overtime if such time extends over ten hours.

8. Engineers responding to call for train which is afterwards cancelled will be paid twenty-five miles, but in case they are held under orders for a period exceeding two hours and thirty minutes, they will be paid pro rata for the time ordered, and will stand first out, except when 100 miles have been made, when they will stand last out.

9. Engineers will be paid actual mileage for doubling. Engineers will be paid not less than ten miles when ordered to double, or at regular doubling points, but doubling time to be deducted when computing overtime.

10. Engineers on regular runs shall lose no time through being held for special service.

11. Road Engineers making less than 100 miles will be paid for 100 miles, but will be liable for further service to the extent of ten consecutive hours, and the rate of one hour for each ten miles.

(b) Road Engineers ordered for yard service only will be paid not less than five hours; over five hours, pro rata. If ordered for more than one day's yard work, switching rates will be paid with a minimum of ten hours per day.

(c) Road Engineers relieving regularly assigned engineers will be paid switching rate.

12. Engineers held away from home stations for engines will be paid ten miles per hour at minimum passenger engineer's rate for the last ten hours, or portion thereof, in every 24 hours so held, less any mileage or time otherwise paid for during said 24 hours.

13. Engineers' time on work trains will count from the time work train was ordered, ten hours or less to constitute one day; overtime pro rata, but will be allowed thirty minutes for getting engine ready. Engineers on work train service, when laid up away from terminal points, will be paid one day for each day so held; engineers to be notified on Saturday if required the following day. When work trains are required to run to and from work, mileage at freight rates will be allowed, time so occupied not to be included in time paid for at work train rates. Engineers going on work train will be notified 24 hours previously. Suitable sleeping quarters will be furnished engineers, including mattresses and



blankets. Engineers will be allowed time for meals at reasonable hours, and will be given transportation and allowed to go home Sunday on obtaining permission, which will be given when such will not interfere with work or service. Work trains will be manned by the youngest engineer on assigned engine, but the oldest man on freight may have same by applying, if he considers it preference. Engineers will be paid at least one hour a day when tied up away from terminals for repairs to engine. Time ticket to show work performed.

14. Engineers on freight trains will be given reasonable time for meals on advising despatcher in due time. Time occupied to be deducted when computing overtime. Engineers on switch engines working within their yard limits will not be required to remain on duty over six hours without a meal, and if held longer, they will first be allowed thirty minutes off and paid for one hour.

15. Engineers will not be required to leave terminal until they have had at least eight hours' rest. Such rest must be booked on arrival upon advice to despatcher. Trains may be laid up between terminals for engineers to obtain rest after they have been 15 consecutive hours on duty upon advice to train despatcher, but if despatcher will cut out all way work and switching trains may be taken through to terminals, engineer to be judge of his own condition.

16. Engines will be supplied with coal, sand and water by engine house staff at terminals, but engineers will be responsible for seeing engines are supplied. Engines running through terminals where round house staff is employed, whether on round trip or over more than one section, will have coal shovelled ahead and fire and ash pan cleaned by roundhouse staff when necessary.

17. Engineers will report time of fireman with their own, and when time is not allowed as per time slip, the time slip will be returned for correction. Mileage to be computed on actual time card distance. Time of engineer to commence thirty minutes before leaving time specified by time card or call book, but such time to be used in getting engine ready, and will end when engineer registered in shop book.

18. Switch engines will be manned by the oldest engineer, if considered preference by him. In event of reduction of force, engineers will be reduced according to their standing on seniority list, except in case of engineers being incapacitated, so that they could not perform on road service, in which case they will be given preference in yard service. Unless incapacitated, engineers holding switching engines for over one year will lose road rights.

19. Engineers, excepting on construction trains, shall not be required to run tender first during severe or inclement weather, or after dark, except in case of emergency. (Local conditions to be regarded.)

20. Hostlers will do roundhouse and shop switching, and will be allowed reasonable time for meals. Engineers desiring position as hostler will receive preference.

21. Engineers in freight or passenger service will run first in first out of their respective districts. Engineers assigned to regular runs will be entitled to any engine placed on such run. Extra men will run first in first out. When a temporary vacancy occurs for over ten days in freight or passenger service, the oldest extra man will be entitled to it; for a less period, the extra man catching it will retain it until the regular man returns. The oldest available engineer in freight service will fill a temporary vacancy in passenger service.

22. Engineers on regularly assigned runs will not be compelled to run freight when their engine is ordered out for the same, except when the time bill or delayed train makes it necessary to run engine to other end of division to take up opposite regular run, or when no other engine or crew available.

23. Engineers on assigned runs will be called between the hours of 9 p.m. and 8 a.m.

24. Senior rates shall be paid promoted engineers after one year's service; hired engineers after six months' service, if satisfactory.

25. Engineers within one mile of roundhouse will be called (except as provided for in article 23) as nearly as possible two hours before departure of trains, and sign call book, which will show leaving time of train, and will be on duty 45 minutes before departure of train. This time to be used in getting engine ready. Engineers on through regular runs will have engine ready to take out on departure time.

26. The Engineer of any assigned engine held in shop seven days or more for repairs will be entitled to the youngest man's assigned engine on that district until his regularly assigned engine comes out.

27. Passenger engineers delayed two hours or over on their engine at terminals before commencement of trip will be paid for such time at schedule rate, same to be deducted in computing overtime. Passenger engineers detained on their engines at Toronto, Montreal or Quebec over thirty minutes will be paid one mile for every six minutes so held; less than thirty minutes not to be counted.

28. Any engineer assigned to a regular engine will be allowed to re-take such engine if same is not returned to him in four days, provided engine was lost through sickness, booking rest or suspension. No dead head mileage to be paid in either case, and engineer relieving will be returned to home station at once.

29. At stations where no regular force is provided, engineers will be paid five miles for turning and properly housing such locomotives day and night.

30. Engineers in accordance with seniority list will have choice of runs out of home station at change of time card, but in case of change of time card dis-



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continuing their run, engineer so affected will have the choice of any run not occupied by senior men. When vacancy occurs or new runs are created, they shall be advertised, and the senior men applying for same shall be entitled to them.

31. Storm windows shall be kept in front of cab in cold weather. Cabs will be furnished with suitable boxes for storing clothing, and equipped with backboard slide curtain and wide curtains. Engines to be inspected by shop force when covered by snow or frozen up, if booked. Engineers assigned to regular runs will set up wedges on all engines, excepting where booked or where pool is maintained. Hose and brakes to be in working order.

32. Engineers will be paid through freight rates for entire trip when required to handle more than three freight cars on passenger trains, and in the event of freight or Company's material being unloaded off through freight or extra at three or more places on trip, it will constitute a way freight train.

33. Engineers will be paid thirty minutes preparatory time for getting engine ready before going out on run. Yard engineers required to work over eight miles outside of station will be paid at through freight rates.

34. In all difficulties and disputes arising out of any part of this schedule between the officials and any engineer, the engineers' committee shall represent the engineer or engineers, except in the event of an engineer alleging a personal grievance, in which case he may present his case and be assisted therein by any other engineer on same line, if he desires; but the decision arrived at in such case shall not form a precedent, or be binding on the engineer's committee in any proceedings taken by them on the same or any other case.

35. When an engineer is suspended or dismissed, he will be advised of reason for such action, and a full and impartial investigation will be held, and engineer advised of decision within ten days. Engineer will be notified to be present at such investigation, and may be accompanied by another engineer. He will, if desired, be given a carbon copy of report of his signed evidence. Should the investigation prove him blameless, he will be reinstated and paid for time lost, one day for each consecutive 24 hours at through freight minimum engineer's rates. Any appeal from such decision must be made in writing by the engineer through his locomotive foreman, within ten days after he has been advised of such decision. In case of doubt, engineer will not be suspended until his case has first been investigated.

36. Engineers accepting official position in Company's service will retain their rights on the seniority list.

37. When an engineer resigns or is dismissed, he shall be given his pay and given a certificate of service, stating time of service and in what capacity employed, within ten days from date of dismissal or resignation.

38. Engineers will date on seniority list when regularly assigned as such. First trip ticket to be counted after being regularly assigned, at which time they will ascertain their standing thereon and register complaint if any. After three months no complaint will be recognized.

39. In case of a meeting or conference being desired between the officials of the Company and a committee of engineers, a written notice stating the nature of the matter to be considered will be forwarded to the master mechanic, who will, as nearly as possible, fix a date and time at which a conference may be held.

40. No more engineers will be retained in the service than are necessary to handle the business with safety and despatch. Master mechanics to decide after conferring with engineers' committee.

41. Comfortable sleeping houses with wash rooms in connection will be provided at terminals, supplied with mattresses, blankets and pillows, free of charge, which shall be under the control of locomotive foreman.

42. Any complaint made against engineers in work train service will not be sufficient cause for engineer's permanent removal until such complaint has been investigated by a representative of the mechanical department. This is to apply to men loaned temporarily to construction department.

43. Engineers hired hereafter by construction department, if transferred to operating department, will hold date on seniority list from time of such transfer; transfers from operating department to construction department will hold original date on seniority list.

44. Engineers will not be granted leave of absence for a longer period than six months, unless caused by reduction of staff or sickness, without losing seniority rights.

45. Engineers assigned to regular runs and to switching engines will be considered off duty from the time relieved at engine house until required for their regular duties, but when such men are available and are called in cases of emergency, they must turn out promptly. Men may follow assigned engines.

46. All complaints made by engineers against firemen must be made in writing.

47. Above articles and rates will not be varied unless by consent after thirty days' notice.

(Sgd.) R. D. GUNN,  
F. H. RICHARDSON,  
J. HARVEY HALL.



## SCHEDULE "B"

TO THE REPORT HEREWITH ATTACHED—WORKING ARTICLES.

*Emergency*, wherever used in these articles, shall be construed to mean a duty or service necessary to prevent impending serious loss or irreparable damage to person or property; (b) Any special circumstance unexpectedly arising which engineer performing the service and official agree creates an emergency.

1. Road Engineers will be paid for switching at terminal and turnaround points at through freight rates, except on specified runs and as otherwise provided for; time to count from the time the engine is ordered until switching is completed, each six minutes to count one mile, switching tickets to be certified to by agent, conductor or yardmaster.

(b) 100 miles or ten hours to constitute a day; overtime pro rata.

2. Engineers tied up between terminals, whether engine dead or alive, will be paid full time until relieved of duty and supplied with conveyance to terminal, when dead heading mileage only will be paid.

3. An engineer in charge of an engine ordered over any section (not under construction) with which he is not familiar, shall be furnished with a competent pilot, in addition to engine crew.

4. Engineers will not be required to haul any cars when running engine extra, except water car.

(b) Engineers will not be required to let engine in and out of shop track, except when running light.

5. Engineers assigned to snow plow service shall be considered as held for special service, and shall receive one day's pay for the first ten hours of each twenty-four hours so held. If held for less than ten hours, for such service engineers will be paid pro rata per hour. Tenders for all engines handling snow plows are to be covered with tarpaulin, and equipped with slide curtains on back boards.

(b) Except in cases of emergency, engineers pushing snow plows will not be required to haul any cars excepting necessary cars containing coal supply and boarding cars for workmen.

6. Engineers taken off their trains between terminals for work train service, and continuing their original trip afterwards, will be paid at work train rate from the time engine was taken off train until time of continuing trip commences; such time to be deducted when computing overtime.

7. Engineers taking engine out of shop on trial trip will be paid 100 miles for such service, but must leave engine equipped for road service, and will be paid overtime if such time extends over ten hours.

8. Engineers responding to call for train which is afterwards cancelled will be paid twenty-five miles, but in case they are held under orders for a period exceeding two hours and thirty minutes, they will be paid pro rata for the time ordered, and will stand first out, except when 100 miles have been made, when they will stand last out.

9. Engineers will be paid actual mileage for doubling. Engineers will be paid not less than ten miles when ordered to double, or at regular doubling points, but doubling time to be deducted when computing overtime.

10. Engineers on regular runs shall lose no time through being held for special service.

11. Road engineers making less than 100 miles will be paid for 100 miles, but will be liable for further service to the extent of ten consecutive hours, and the rate of one hour for each ten miles.

(b) Road Engineers ordered for yard service only will be paid not less than five hours; over five hours, pro rata. If ordered for more than one day's yard work, switching rates will be paid with a minimum of ten hours per day.

(c) Road Engineers relieving regularly assigned engineers will be paid switching rate.

12. Engineers held away from home stations for engines will be paid ten miles per hour at minimum passenger engineer's rate for the last ten hours, or portion thereof, in every 24 hours so held, less any mileage or time otherwise paid for during said 24 hours.

13. Engineer's time on work trains will count from the time work train was ordered, ten hours or less to constitute one day; overtime pro rata, but will be allowed thirty minutes for getting engine ready. Engineers on work train service, when laid up away from terminal points, will be paid one day for each day so held; engineers to be notified on Saturday if required the following day. When work trains are required to run to and from work, mileage at freight rates will be allowed, time so occupied not to be included in time paid for at work train rates. Engineers going on work train will be notified 24 hours previously. Suitable sleeping quarters will be furnished engineers, including



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mattresses and blankets. Engineers will be allowed time for meals at reasonable hours, and will be given transportation and allowed to go home Sunday on obtaining permission, which will be given when such will not interfere with work or service. Work trains will be manned by the youngest engineer on assigned engine, but the eldest man on freight may have same by applying, if he considers it preference. Engineers will be paid at least one hour a day when tied up away from terminals for repairs to engine. Time ticket to show work performed.

14. Engineers on freight trains will be given reasonable time for meals on advising despatcher in due time. Time occupied to be deducted when computing overtime. Engineers on switch engines working within their yard limits will not be required to remain on duty over six hours without a meal, but if held longer, they will first be allowed thirty minutes off and paid for one hour.

15. Engineers will not be required to leave terminal until they have had at least eight hours' rest. Such rest must be booked on arrival upon advice to despatcher. Trains may be laid up between terminals for engineers to obtain rest after they have been 15 consecutive hours on duty upon advice to train despatcher, but if despatcher will cut out all way work and switching trains may be taken through to terminals, engineer to be judge of his own condition.

16. Engines will be supplied with coal, sand and water by engine house staff at terminals, but engineers will be responsible for seeing engines are supplied. Engines running through terminals where roundhouse staff is employed, whether on round trip or over more than one section, will have coal shovelled ahead and fire and ash pan cleaned by roundhouse staff when necessary.

17. Engineers will report time of firemen with their own and when time is not allowed as per time slip, the time slip will be returned for correction. Mileage to be computed on actual time card distance. Time of engineer to commence thirty minutes before leaving time specified by time card or call book, but such time to be used in getting engine ready, and will end when engineer registered in shop book.

18. Switch engines will be manned by the oldest engineer if considered preference by him. In event of reduction of force, engineers will be reduced according to standing on seniority list, except in case of engineers being incapacitated so that they could not perform on road service, in which case they will be given preference in yard service. Unless incapacitated, engineers holding switching engines for over one year will lose road rights.

19. Engineers, excepting on construction trains, shall not be required to run tender first during severe or inclement weather or after dark, except in case of emergency. (Local conditions to be regarded.)

20. Hostlers will do roundhouse and shop switching, and will be allowed reasonable time for meals. Engineers desiring position as hostler will receive preference.

21. Engineers in freight or passenger service will run first in first out of their respective districts. Engineers assigned to regular runs will be entitled to any engine placed on such run. Extra men will run first in first out. When a temporary vacancy occurs for over ten days in freight or passenger service, the oldest extra man will be entitled to it; for a less period, the extra man catching it will retain it until the regular man returns. The oldest available engineer in freight service will fill a temporary vacancy in passenger service.

22. Engineers on regularly assigned runs will not be compelled to run freight when their engine is ordered out for the same, except when the time bill or delayed train makes it necessary to run engine to other end of division to take up opposite regular run, or when no other engine or crew is available.

23. Engineers on assigned runs will be called between the hours of 9 p.m. and 8 a.m.

24. Senior rates shall be paid promoted engineers after one year's service; hired engineers, after six months' service, if satisfactory.

25. Engineers within one mile of roundhouse will be called (except as provided for in article 23), as nearly as possible two hours before departure of trains, and sign call book, which will show leaving time of train, and will be on duty 45 minutes before departure of train. This time to be used in getting engine ready. Engineers on through regular runs will have engine ready to take out on departure time.

26. The Engineer of any assigned engine held in shop seven days or more for repairs will be entitled to the youngest man's assigned engine on that district until his regularly assigned engine comes out.

27. Passenger engineers delayed two hours or over on their engine at terminals before commencement of trip will be paid for such time at schedule rate, same to be deducted in computing overtime. Passenger engineers detained on their engines at Toronto, Montreal or Quebec over thirty minutes will be paid one mile for every six minutes so held; less than thirty minutes not to be counted.

28. Any engineer assigned to a regular engine will be allowed to re-take such engine if same is not returned to him in four days, provided engine was lost through sickness, booking rest or suspension. No dead head mileage to be paid in either case, and engineer relieving will be returned to home station at once.



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29. At stations where no regular force is provided, engineers will be paid five miles for turning and properly housing such locomotives day and night.

30. Engineers in accordance with seniority list will have choice of runs out of home station at change of time card, but in case of change of time card discontinuing their run, engineer so affected will have the choice of any run not occupied by senior men. When vacancy occurs or new runs are created, they shall be advertised, and the senior men applying for same shall be entitled to them.

31. Storm windows shall be kept in front of cab in cold weather. Cabs will be furnished with suitable boxes for storing clothing, and equipped with backboard slide curtains and wide curtains. Engines to be inspected by shop force when covered by snow or frozen up, if booked. Engineers assigned to regular runs will set up wedges on all engines, excepting where booked or where pool is maintained. Hose and brakes to be in working order.

32. Engineers will be paid through freight rates for entire trip when required to handle more than three freight cars on passenger trains, and in the event of freight or Company's material being unloaded off through freight or extra at three or more places on trip, it will constitute a way freight train.

33. Engineers will be paid thirty minutes preparatory time for getting engine ready before going out on run. Yard engineers required to work over eight miles outside of station will be paid at through freight rates.

34. In all difficulties and disputes arising out of any part of this schedule between the officials and any engineer, the engineers' committee shall represent the engineer or engineers, except in the event of an engineer alleging a personal grievance, in which case he may present his case and be assisted therein by any other engineer on same line, if he desires; but the decision arrived at in such case shall not form a precedent, or be binding on the engineer's committee in any proceedings taken by them on the same or any other case.

35. When an engineer is suspended or dismissed, he will be advised of reason for such action, and a full and impartial investigation will be held, and engineer advised of decision within ten days. Engineer will be notified to be present at such investigation, and may be accompanied by another engineer. He will, if desired, be given a carbon copy of report of his signed evidence. Should the investigation prove him blameless, he will be reinstated and paid for time lost; one day for each consecutive 24 hours at through freight minimum engineer's rates. Any appeal from such decision must be made in writing by the engineer through his locomotive foreman, within ten days after he has been advised of such decision. In case of doubt, engineer will not be suspended until his case has first been investigated.

36. Engineers accepting official position in Company's service will retain their rights on the seniority list.

37. When an engineer resigns or is dismissed, he shall be given his pay and given a certificate of service, stating time of service and in what capacity employed, within ten days from date of dismissal or resignation.

38. Engineers will date on seniority list when regularly assigned as such. First trip ticket to be counted after being regularly assigned, at which time they will ascertain their standing thereon and register complaint if any. After three months no complaint will be recognized.

39. In case of a meeting or conference being desired between the officials of the Company and a committee of engineers, a written notice stating the nature of the matter to be considered will be forwarded to the master mechanic, who will, as nearly as possible, fix a date and time at which a conference may be held.

40. No more engineers will be retained in the service than are necessary to handle the business with safety and despatch. Master mechanics to decide after conferring with engineers' committee.

41. Comfortable sleeping houses with wash rooms in connection will be provided at terminals, supplied with mattresses, blankets and pillows, free of charge, which shall be under the control of locomotive foreman.

42. Any complaint made against engineers in work train service will not be sufficient cause for engineer's permanent removal until such complaint has been investigated by a representative of the mechanical department. This is to apply to men loaned temporarily to construction department.

43. Engineers hired hereafter by construction department, if transferred to operating department, will hold date on seniority list from time of such transfer; transfers from operating department to construction department will hold original date on seniority list.

44. Engineers will not be granted leave of absence for a longer period than six months, unless caused by reduction of staff or sickness, without losing seniority rights.

45. Engineers assigned to regular runs and to switching engines will be considered off duty from the time relieved at engine house until required for their regular duties, but when such men are available and are called in cases of emergency, they must turn out promptly. Men may follow assigned engines.



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46. All complaints made by engineers against firemen must be made in writing.

47. Above articles and rates will not be varied unless by consent after thirty days' notice.

(Sgd.) R. D. GUNN,  
F. H. RICHARDSON,  
J. HARVEY HALL.

## SCHEDULE "C."

## TO THE REPORT—ENGINEER'S RATES OF PAY.

Passenger trains, per 100 miles or per day of 10 hours, overtime pro rata.

	Engineers.	
	Sen.	Jun.
Consolidated engines .....	\$3.40	\$3.10
Mogul, Atlantic, Pacific, 10 wheeler, 110% or over	3.25	2.95
Mogul, Atlantic, Pacific, 10 wheeler, 75 to 110%..	3.15	2.85
All other engines .....	3.15	2.85
Freight, mixed and snow plow trains, per 100 miles, or per day of 10 hrs., overtime pro rata.		
Consolidation engines .....	3.75	3.40
Mogul, Atlantic, Pacific, 10 wheeler, 110% or over	3.60	3.25
Mogul, Atlantic, Pacific, 10 wheeler, 75 to 110%..	3.50	3.15
All other engines .....	3.40	3.05

Way Freight Trains, per 100 miles, or per day of 10 hrs., overtime pro rata.

Consolidation engines .....	4.05	3.70
Mogul, Atlantic, Pacific, 10 wheeler, 110% or over	3.90	3.55
Mogul, Atlantic, Pacific, 10 wheeler, 75 to 110%..	3.80	3.45
All other engines .....	3.75	3.40

Work Trains, per 100 miles or per day of ten hours, overtime pro rata.

Consolidation engines .....	3.45	3.10
Mogul, Atlantic, Pacific, 10 wheeler, 110% or over	3.30	2.95
Mogul, Atlantic, Pacific, 10 wheeler, 75 to 110%..	3.20	2.85
All other engines .....	3.10	2.75

Switching, per day of ten hours or less, \$3.00.

Hostlers, per day of ten hours or less, \$2.40.

Piloting, per 100 miles or ten hours, engineer's rates as per class of engine.

Light running, freight rates.

## SPECIAL SERVICE.

"When engineers are required to dead-head over any portion of the road on orders of their superior officers to take engine or runs, they shall receive one-half schedule rate when dead-heading on passenger, and full rate when dead-heading on freight."

Watching and caring for engine per hour, 30c.

Held for special service, if time lost, 10 hours to be allowed per day of twenty-four hours, 30c.

Attending court at Company's request, if time lost, 10 hours to be allowed per day of twenty-four hours, 30c.

(Sgd.) R. D. GUNN,  
J. H. HALL,  
F. H. RICHARDSON.



XVIII.—APPLICATION FROM EMPLOYEES OF THE QUEBEC HEAT, LIGHT AND POWER COMPANY OF QUEBEC, QUE.—BOARD ESTABLISHED—AGREEMENT CONCLUDED ON ALL POINTS.

Application received—September 3, 1908.

Parties concerned—Quebec Heat, Light and Power Company, Quebec, Que., and its employees.

Applicants—Employees.

Nature of industry concerned—Street railways.

Nature of dispute—Alleged wrongful dismissal of certain employees.

Number of employees affected—Directly 2, indirectly 114.

Date of constitution of Board—

Membership of Board—Mr. W. H. Moore, Toronto, Ont., appointed on the recommendation of the employers; Mr. Omer Brunet, Quebec, Que., appointed on the recommendation of the employees. An agreement was reached on all points before a Chairman for this Board had been appointed.

Report received—October 6, 1908.

Result of inquiry—Agreement concluded on all points; strike averted.

The cause of the dispute in this case was alleged to be the dismissal of Mr. Henry O'Neil from the employment of the Quebec Heat, Light and Power Company for alleged irregularities. It was stated on behalf of Mr. O'Neil that these irregularities had not occurred, and that the real ground of difference between the Company and the men was the position taken on the part of the Company with regard to the Union to which the men belonged, and of which O'Neil was president. It was alleged also that Mr. Arthur Roy, another employee, had been improperly dismissed because of irregularities alleged to have been committed by him as an employee of the Company during the Tercentenary fetes. These irregularities also, it was contended by the employees, had not occurred.

The Minister proceeded with the establishment of a Board, appointing, on the recommendation of the Company, Mr. W. H. Moore, of Toronto, and on the recommendation of the employees, Mr. Omer Brunet, of Quebec. Shortly after the appointment of Messrs. Moore and Brunet, the Department was informed that steps were being taken by these gentlemen looking to a settlement of the matter as between themselves, and that there was every probability of an amicable arrangement between the disputants being reached in this way. Under the circumstances, the Minister refrained for a few days from proceeding with the final constitution of the Board, and on October 6, a joint statement from Messrs. Moore and Brunet was received in the Department, recommending a course suitable for a settlement of the differences. The joint statement recommended the reinstatement of O'Neil on account of his



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general good record, without, however, admitting that the action of the manager of the Company with regard to him had been in any respect improper; and in the case of Roy, found that the matter had never been brought before the superior officers of the Company, or an attempt made to adjust the grievances named on his behalf, and that it did not in consequence appear to be proper to make any finding in his case. The Department transmitted copies of the joint statement to the representatives of the two parties of the dispute, and requested from them respectively a statement as to the attitude of the parties with respect to the acceptance of the same as a basis of settlement. Letters were received from the representatives of each party accepting the terms recommended in the joint statement as a basis of settlement, the letters received being respectively as follows:—

*From the Quebec Railway, Light and Power Company.*

QUEBEC, October 9, 1908.

F. A. ACLAND, Esq.,  
Acting Deputy Minister of Labour, Ottawa.

Dear Sir:

I have to acknowledge the receipt of your letter of the 6th inst., enclosing copy of a joint statement from the members appointed under the Industrial Disputes Investigation Act, 1907, to enquire into certain matters with reference to the dispute between the Company's employees and the Company, and in reply, beg to state that the recommendation and the conclusion arrived at by Messrs. Moore and Brunet are perfectly satisfactory and that the recommendations have been carried out.

I desire to thank you, as well as the Honourable the Minister of Labour, for your kindly consideration in this matter.

Yours truly,

(Signed) EDW. A. EVANS,  
General Manager.

*From the Employees.*

(translation)

QUEBEC, October 9, 1908.

F. A. ACLAND, Esq.,  
Acting Deputy Minister of Labour and Acting Registrar  
of Boards of Conciliation and Investigation, Ottawa, Ont.

Sir:

I have the honour to acknowledge receipt of your letter of the 6th containing the joint report of the members of the Board of Conciliation and Investigation established with reference to the matter of Motormen O'Neill and Roy. The Brotherhood extends its sincere thanks to the Honourable the Minister of Labour for having taken our application into consideration and for having brought the matter to an arrangement so satisfactory. The employees are satisfied with the outcome of the dispute and declare that the joint recommendation contained in the report received are acceptable as a basis of settlement.

I have the honour to be, Sir,

Your obedient servant,

(Signed) T. MERCIER,  
*Rec. Sec. Fraternite Nationale No. 1 des Employees de Tramways  
Electriques de Quebec.*



## TEXT OF JOINT STATEMENT.

The text of the joint statement received from Messrs. Moore and Brunet was as follows:—

HONOURABLE RODOLPHE LEMIEUX,  
Postmaster-General and Minister of Labour,  
Ottawa.

Dear Sir,—In the matter of a dispute between the employees of the Quebec Railway, Light and Power Company and the Company which has been referred to us for settlement under the Industrial Disputes Investigation Act, we, Omer Brunet, of the city of Quebec, and W. H. Moore, of the city of Toronto, having been appointed by the employees and the Company respectively to investigate the dispute in question, beg to report as follows:—

In reference to the O'Neil Case:

1. At a meeting held in the Labour Temple in the City of Quebec on the morning of the 3rd of October, we decided to hear in a preliminary way the main facts of the dispute and to attempt if possible to bring about a conciliation of the parties.

2. Pursuant to our decision as to an attempt at conciliation we met at the office of the Company on the afternoon of the 3rd of October to hear statements from Henry O'Neil, Alfred Barret and from Edward A. Evans, General Manager of the Company.

As a result of our enquiries we find,—

1. That the statements of O'Neil and Barret are conflicting.

2. Upon the evidence that was submitted by the Manager of the Company in connection with this matter, that his action was taken solely with the intention of promoting the discipline of the Company, and the best interest of the service to the public.

3. It has been shown to our satisfaction that O'Neill is a capable employee and that his record up to and until the 29th day of June last was good.

4. In view of the good record of O'Neill, while we believe that the public interests demand that the Manager should be free as to whom he hires or dismisses for infraction of the rules, we would submit that in our opinion it would be a fair settlement of the dispute if O'Neill be reinstated in his position as motorman in the service of the Company. Such reinstatement to take place on Monday, the 5th instant.

In the case of Arthur Roy:

We find no evidence that the matter has been brought before the superior officers of the Company or any attempt made to adjust the matter with them. Under these circumstances we feel that we should not make a finding. We are of the opinion that a serious attempt should be made by the employer and employees to exhaust all efforts of settlement before applying for a ruling under the Industrial Disputes Investigation Act. This is exceedingly important in the case of public service corporations in which we realize the discipline of employees must be preserved.

Yours respectfully,

(Signed) OMER BRUNET,

(Signed) W. H. MOORE.

Dated at Quebec, October 3, 1908.



XIX.—APPLICATION FROM EMPLOYEES OF THE GALBRAITH COAL COMPANY, LTD., OF LUNDBRECK, ALTA.—BOARD ESTABLISHED —AGREEMENT CONCLUDED ON ALL POINTS.

Application received—October 19 1908.

Parties concerned—The Galbraith Coal Company, Ltd., Lundbreck, Alta., and its employees.

Applicants—Employees.

Nature of industry concerned—Coal mining.

Nature of dispute—Wages and conditions of labour.

Number of employees affected—30.

Date of constitution of Board—November 25, 1908.

Membership of Board—Charles Simister, Fernie, B.C., appointed on the joint recommendation of the other members of the Board; Mr. F. B. Smith, Edmonton, Alta., appointed on the recommendation of the Company; Mr. J. A. MacDonald, Blairmore, Alta., appointed on the recommendation of the employees.

Report received—December 14, 1908.

Result of inquiry—Agreement concluded on all points; strike averted.

The subjects of dispute in this case were stated in the application to relate to wages and general conditions of labour. The conditions demanded by the parties included the check-off system, the delivery of coal by the Company to employees at \$2.50 per ton of 2,240 lbs., the sale of powder to employees at the same rates as in other mines of the district, that all miners should work as partners, and that none should be permitted to employ labourers; also various changes in the wage schedule formerly in force.

The report of the Board was signed by all three members and in the final paragraph of these findings of this report it was stated that the officials of the Galbraith Coal Company on the one hand, and the officials of the Union of the U.M.W. of A., representing the employees, on the other hand, had expressed their willingness to abide by the recommendations made in this report. The Department was also advised on January 4, 1909, by the Galbraith Coal Company of its willingness to abide by these findings.

The text of the report of the Board is as follows:—

REPORT OF BOARD.

In the matter of the Industrial Disputes Investigation Act, 1907, between the Galbraith Coal Company, Limited, and its employees, members of Local 2275, U.M.W. of A., Blairmore, Alberta.

Lundbreck, Alta., 7th Dec., '08.

Sir,—We, the undersigned members of the Conciliation Board in the matter of the above dispute, have carefully investigated the causes and beg to submit our report.



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Under Clause 23 of the Act, we endeavoured to bring about a settlement. We thoroughly examined the Company's pay-rolls for the past four months and finally came to the conclusion that the whole cause of the trouble was in regard to the amount earned by the miners in room work. From this evidence it was decided to make an examination of the mines, and if possible ascertain the cause of the trouble. This work being concluded, we were of the unanimous opinion that under the present system of working, the price per ton paid in room work was too small; the main reason of this seeming to be a double shift being worked in each room daily and the partners not working in harmony. We (the Board) beg to recommend the following course to be adopted by the Galbraith Coal Company, Limited, and their employees:

1st. All room work only to be worked single shift and where the miner fails to earn the minimum rate of wage, as stipulated in Article 3 in the agreement made between District No. Eighteen, U.M.W. of A., and the Western Coal Operators' Association, as in force at the Breckenridge & Lund Coal Mine immediately adjoining (a copy of which agreement is hereto attached), then Article Three be adhered to.

2nd. The Checkoff system be accepted by the Company as in Article One of the same agreement.

3rd. We also recommend that if the Employees decide to make an agreement with the Company then this will be on the basis of the agreements with neighboring collieries (hereto attached), which agreements end on the 31st of March, 1909.

We have interviewed the representatives of the officials of the U.M.W. of A., District No. 18, and the officials of the Galbraith Coal Company, Limited; from these parties we are assured that they are willing to abide by the recommendations of this Board.

Representative on recommendation of Employees:

(Sgd.) J. A. MACDONALD,

Representative on recommendation of Galbraith Coal Co., Ltd.

(Sgd.) F. B. SMITH,

Chairman of Board:

(Sgd.) CHAS. SIMISTER.

#### ARTICLE OF AGREEMENT.

Attached to the report was a copy bearing the signatures of the three members of the Board of the pamphlet containing the agreements existing between District No. 18, U.M.W. of A., and the Western Coal Operators' Association. Article 3 of the agreement made between the Union named and the Breckenridge and Lund Coal Company, as contained in the said pamphlet, and which constituted a part of the agreement entered into as a settlement of the present dispute was as follows:

"Any miner failing to earn the minimum rate of three dollars (\$3.00) per shift owing to any abnormal conditions of his working place, shall be paid by the Company an amount sufficient to secure him the said minimum, provided he is a capable man and has done a fair day's work."



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XX.—APPLICATION FROM EMPLOYEES OF THE JOHN RITCHIE COMPANY, LIMITED, BOOT AND SHOEMAKERS, QUEBEC, QUE.—BOARD ESTABLISHED — AGREEMENT CONCLUDED ON ALL POINTS.

Application received—December 17, 1908.

Parties concerned—The John Ritchie Company, Limited, of Quebec, Que., and certain employees (lasters).

Applicants—Employees and employers.

Nature of industry concerned—Boot and shoe making.

Nature of dispute—Wages and introduction of certain machinery.

Number of employees affected—Direct 27, indirectly 205.

Date of constitution of Board—December 31, 1908.

Membership of Board—Dr. Charles Coté, Quebec, Chairman, appointed on the joint recommendation of the other members of the Board; Mr. Felix Marois, Quebec, appointed on the recommendation of the employer; Mr. Zébedée Bérubé, Quebec, appointed on the recommendation of the employees.

Report received—February 17, 1909.

Result of inquiry—Agreement concluded before the Board on all matters in dispute, effective from February 12, 1909, to May 1, 1910; strike averted.

The cause of dispute in this case was stated to be the introduction of "pulling over" machines, the manner of operating the same and the establishment of a fair scale of wages in connection therewith. The industry in question, the manufacture of boots and shoes, is not one of the public utility class to which the Industrial Disputes Investigation Act primarily applies, and the establishment of a Board of Conciliation and Investigation could only be carried out, therefore, with the joint consent of both parties. On the same day, however, on which the Department received an application on behalf of the employees, signed by the President and Secretary respectively of L'Union Protectrice des Cordonniers Monteurs de Quebec, an application was also received from the John Ritchie Company, with the same object in view.

The two parties, in their statements to the Department, agreed that the employees, who had ceased work for a few days on account of the differences with the firm, had returned to work without change in conditions on the understanding that the dispute would be referred for settlement under the terms of the Industrial Disputes Investigation Act. The firm claimed that the employees had been offered a day wage at the rate of \$12.00 per week, while learning the machines, and that the employees had worked on this basis for a brief period, and had then ceased work, demanding the same scale of wages as they had previously received for hand work, allowing nothing for the upkeep of the machine or the royalty on the same. The officer of the Bureau of Conciliation of the Province of Quebec was instrumental in securing a reference of the dispute by the parties concerned under the terms of the



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Industrial Disputes Investigation Act, as above stated. The Board held various sessions in Quebec and Montreal from January 14 to February 12, making a careful examination of the processes of machinery in use in the different establishments in the two cities. The Department received the report of the Board on February 17, the same consisting of the text of an agreement signed respectively on behalf of the Company and its employees, and by the three members of the Board. Mr. John Ritchie, president of the employing Company, signed for the employer, and Mr. Elzéar Ferland, president of the union comprising the employees, signed for the latter. The effect of the report was to indicate prices to be paid for various classes of labour, the same to remain the standard of wages until May, 1910, when the agreement may be renewed, with the consent of the two parties.

## TEXT OF AGREEMENT.

The following is the text, translated, of the findings of the Board, the same having been rendered to the Department in French:

Quebec, February 12, 1909.

In the matter of the Industrial Disputes Investigation Act, 1907, and in the matter of a dispute between the John Ritchie Company and L'Union Protectrice des Cordonniers Monteurs de Québec.

Before the Board of Conciliation and Arbitration established by virtue of the said law by the Honourable the Minister of Labour of Canada, and consisting of Messrs. Felix Marois, Zébedée Bérubé and Charles Eugene Côté, it has been agreed on behalf of the John Ritchie Company, by its president, Mr. John Ritchie, and on behalf of the Union Protectrice des cordonniers monteurs de Quebec by Mr. Elzéar Ferland, president of the said Union, and Mr. F. X. Galarneau, secretary, that the said parties shall accept as just and reasonable the prices below mentioned for the work known as lasting, with the assistance of the pulling over machine, of which the different operations described below have been accepted by the two parties, namely, the pulling over, assembling, which consists of putting on two coats of gum, and putting canvas or buckram in toes, and putting two tacks in the heel seat and placing insoles; trimming and beating up toes, and pulling and placing lasts on racks.

These operations concern McKay work. The prices agreed for this work are the following, namely:—

## LASTING.

Nature of Work.	Price per Case.
Men's regular.....	\$1.25
Men's patent.....	1.35
Boys' regular.....	1.20
Boys' patent.....	1.30
Women's work regular.....	1.12½
Youth's regular.....	1.12½
Women's and youth's patent.....	1.22½
Misses' work regular.....	1.07½
Misses' work patent.....	1.17½
Canvass and felt and cow hide leathers.....	.92



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For work known as Goodyear, the different operations are as follows: The pulling over, assembling, which consists of putting two coats of gum and placing box toes in toes of uppers, and putting two tacks in heel seat, and placing upper on lasts, and pasting counters; pulling up ends of counter and tacking insoles on lasts. These different operations are accepted by both parties. The prices accepted for Goodyear work are as follows:—

Kind of Work.	Price per Case.
Patent work.....	\$1.80
All other work.....	1.70

It is understood that all materials necessary for the workmen shall be brought to them at the place where they work. The above agreement is to remain good until the first of May, 1910, and will then become renewable with the consent of the two parties.

As a mark of their approval of the conditions and agreement above set forth, the two parties have placed their signatures to the same in the presence of the three members of the Board who have signed the document as witnesses.

THE JOHN RITCHIE CO., LIMITED,  
per JOHN RITCHIE,

*President.*

ELZEAR FERLAND,

*President.*

F. X. GALARNEAU,

*Secretary.*

Witnesses:

FELIX MAROIS,

Z. BERUBE,

CHAS. E. COTE, M.D.



XXI.—APPLICATION FROM RAILROAD TELEGRAPHERS EMPLOYED  
ON THE LINES OF THE MICHIGAN CENTRAL RAILROAD IN  
CANADA—BOARD ESTABLISHED—NO CESSATION OF WORK.

Application received—December 29, 1908.

Parties concerned—Great North Western Telegraph Company of Canada, and certain Railroad Telegraphers on the Michigan Central Railroad in Canada.

Applicants—Employees.

Nature of industry concerned—Railways.

Nature of dispute—Abolition by the Great North Western Telegraph Company of Canada of commissions on commercial business on lines of the Michigan Central Railroad system.

Number of employees affected—Directly 25, indirectly 50.

Date of constitution of Board—February 8, 1909.

Membership of Board—His Honour D. McGibbon, County Judge of Peel, Chairman, appointed by the Minister in the absence of any joint recommendation from the other members of the Board; Mr. J. F. Mackay, Toronto, appointed by the Minister in the absence of any recommendation from the Great North Western Telegraph Company; Mr. J. G. O'Donoghue, Toronto, appointed on the recommendation of the employees.

Report received—March 22, 1909.

Result of inquiry—No cessation of work.

This dispute arose out of the alleged abolition of commissions paid on commercial telegraph business by the Great North Western Telegraph Company to operators along the lines of the Michigan Central Railroad in Canada.

In application of the telegraphers for the appointment of this Board it was stated that a demand was made for the restoration of these commissions at the rates formerly in force, namely, 20 per cent. and 8 per cent. on local and through business respectively, on the ground that the telegraphers are now called upon to perform work, without pay, for which they formerly received commissions as above.

It was also stated by the applicants that efforts had been made from time to time “by the representatives of the telegraphers since these commissions have been abolished, with the management of the Michigan Central Railroad Company and the Great North Western Telegraph Company to have them restored, but the management of the railroad claims to have no responsibility in the matter, and that it lies entirely at the good will of the Great North Western Telegraph Company to pay these commissions or decline to pay them, and that these commissions have not been considered at any time in fixing the salaries of the telegraphers for their services with the railroad company. The Great North Western Telegraph Company declines to restore the commission, and refers the telegraphers to the Michigan Central Railroad



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Company. In the course of correspondence arising out of the application the Michigan Central Railroad Company also disclaimed all responsibility in the matter. It was asserted by the Great North Western Telegraph Company that the telegraphers in question were employed by the Michigan Central Railroad Company, and that in the handling of the business of the Telegraph Company they were subject wholly to the direction of the Railroad Company. For this reason the Telegraph Company declined to nominate any member for the proposed Board of Conciliation and Investigation.

The report as received in the Department was signed by the three members of the Board, and was subsequently accepted by the telegraphers as a basis of settlement. Mr. J. W. McMichael, Vice-President and General Manager of the Great North Western Telegraph Company of Canada, under date of April 16, notified the Department that the Company was unable to accept the findings of the Board. It was understood, however, that no cessation of work had taken place.

## TEXT OF BOARD'S REPORT.

The text of the findings of the Board is as follows:—

In the matter of the Industrial Disputes Investigation Act, 1907, and in the matter of differences between the Order of Railroad Telegraphers and the Great North Western Telegraph Company.

Meetings of the Board to investigate the differences were held at Toronto. The telegraphers were represented by Messrs. David Campbell, 3rd Vice-President, Order of Railroad Telegraphers, and J. H. Staley, District Chairman, Order of Railroad Telegraphers; the G.N.W. by Messrs. Perry, Secretary of the Company, and Markey, Solicitor, and the Michigan Central Railway Company by Mr. E. C. Cattanach, Solicitor.

The telegraphers claimed that down to September 12th, 1907, they had been in the receipt of certain commissions from the G.N.W., for work performed for that Company; that at that time the relationship of employer and employee existed between them and the G.N.W. and that section 57 of the above Act required thirty days' notice before such commissions could be altered in any way; that in the absence of such notice the relationship of employer and employed still continued and they were entitled to the commissions from September 12th, 1907, to the present time. The commissions were discontinued by notice dated September 12th, to take effect from September 1st, 1907.

The representatives of the Telegraph Company, on the other hand, argued that by the notice given to the telegraphers on September 12th, 1907, the Company had entirely dispensed with the services of the men, and was therefore, no longer liable for any commissions. They referred the Board to a contract dated 1st June, 1907, by the terms of which they claimed the Michigan Central Railroad Company was obliged to furnish operators to perform the work of the Telegraph Company, and that, if any one was liable to the telegraph operators, it was the Railroad Company.

The amount in dispute would run about \$600.00 to \$700.00 per year. From September, 1907, to November, 1908, the Railroad Company, had apparently, voluntarily paid to the telegraphers 10 per cent. commission on work done for the Telegraph Company.



It was admitted by the representatives of the Telegraph Company that the Company was the employer of the telegraphers down to September 12th, 1907. That being the case, the Board is of opinion that until compliance with section 57 of the Act was had, the relationship of employer and employee continued, and that there has never been any severance of that relationship between the Telegraph Company and its telegraphers, and that the Telegraph Company is, therefore, liable to the telegraphers for the difference between the amount of commissions received upon the 10 per cent. basis from the Railroad Company from September, 1907, to November, 1908, and what should have been received on the old basis and for all the commissions from the latter date to the present time. The opinion of the Board is supported by a provision in the contract of June 1st, 1907, before referred to, where (see page 18 of the contract) the agreement provides as follows:—"The Telegraph Company expressly covenants and agrees that the joint Superintendent and all other persons engaged in the work in this agreement contemplated, whether provided or paid by the Telegraph Company, or the Railroad Company, shall be deemed for the purposes of this contract to be the servants of the Telegraph Company."

The Telegraph Company, therefore, by its own act, continued the relationship of employer and employee with the telegraphers.

While the Board is of opinion that it would be in the best interests of all parties concerned that the Railroad Company should be responsible to the telegraphers for the wages due to the latter (including all kinds of commissions and extra pay), both the Telegraph Company and the telegraphers expressed a preference for the old system, under which the Railroad Company paid telegraphers a regular monthly wage and the Telegraph Company paid commissions on work performed for it.

All attempts at bringing the parties together in some amicable arrangement proved futile by reason of the attitude of the Telegraph Company, which took its stand upon its rights under the contract with the Railroad Company, by which the latter Company, it claimed, was and is obliged to furnish operators for the performance of the Telegraph Company's work.

The result is that the claims of the men are found in their favour.

Inasmuch as the Railway Company has by the contract of June 1st, 1907, deliberately made itself liable to the Telegraph Company to furnish free the services paid for by commission prior to September, 1907, it should be responsible, if any person, from the date of this Report for the amounts formerly received as commissions by the telegraphers.

(Sgd.) D. MCGIBBON,

*Chairman.*

" J. F. MACKAY,

*Appointed to represent the G. N. W.*

(Sgd.) J. G. O'DONOGHUE,

*Appointed to represent the men.*

Toronto, March 19, 1908.



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**XXII.—APPLICATION FROM EMPLOYEES OF THE MANITOBA CARTAGE AND WAREHOUSING COMPANY, LTD., OF WINNIPEG, MAN., BOARD ESTABLISHED—NO CESSATION OF WORK.**

Application received—February 10, 1909.

Parties concerned—Manitoba Cartage and Warehousing Company, Ltd. of Winnipeg, Man., and its employees.

Applicants—Employees.

Nature of industry concerned—Transportation.

Nature of dispute—Alleged discharge of Union men.

Number of employees affected—Directly 40, indirectly 260.

Date of constitution of Board—March 2, 1909.

Membership of Board—Rev. Dr. Charles W. Gordon, D.D., Winnipeg, Chairman. Rev. Dr. Gordon was at first appointed as a member of the Board in the absence of any recommendation from the Company; Mr. Thomas J. Murray was appointed a member of the Board on the recommendation of the employees; Professor R. R. Cochrane, Winnipeg, was recommended by the other two members of the Board for appointment as third member, but in accordance with the wishes of the Board, Rev. Dr. Gordon was appointed chairman and Professor Cochrane was deemed to have been appointed on behalf of the Company.

Report received—April 1, 1909.

Result of enquiry—Strike averted.

In the application for the establishment of this Board it was stated that relations between the Manitoba Cartage and Warehousing Company and its employees had been most friendly up to about January 29, 1909, no dispute of any kind existing between them. Some time previous, however, to that date, an organizer of the Teamsters' Union had been in the city and the membership of the Union had been largely increased. The applicants asserted that, apparently, the Manitoba Cartage and Warehousing Company looked with dissatisfaction upon this effort to increase the strength of the Union and commenced about January 29 discharging employees who belonged to the Union, in most cases giving no other reason than "services no longer required; that in some cases the reason had been given that employees were members of the Union and that a statement was made that no member of the Union could work for this Company. Apparently, it was added, the sole object of the employing Company in discharging men was to break the Union, as non-union employees were engaged at once to fill their places. The Manitoba Cartage and Warehousing Company submitted that their industry was not one to which the Industrial Disputes Investigation Act could properly be applied without the joint consent of employers and employees and for this reason declined to



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recommend any one for appointment to the Board. The Minister was of opinion, however, that the industry in question came within the terms of the Act, and proceeded with the constitution of the Board.

The report, which was signed by the three members of the Board, found that this dispute was due partly to mutual misunderstanding and partly to error in tactics, and that there existed at the time of the investigation no real cause of dispute between the Company and its employees. Nevertheless, on account of the peculiar nature of the differences as well as of the unwillingness of the Company to take any part in the proceedings, the task falling upon the Board was one which called for the exercise of patience and tact in a high degree, and it is satisfactory to be able to state that in the end the Company took part in the enquiry and in the examination to a certain extent of some of the witnesses.

As a result of its observations the Board found that the employees of the Manitoba Cartage Company were entirely satisfied with the terms and conditions of their employment, and that the Company was satisfied with the manner in which the employees' work had been performed. Under these circumstances the Board expressed itself as "clearly of the opinion that with these misunderstandings removed there exists no reasonable ground for a continuation of the trouble." A statement was accordingly prepared by the Board of the principles underlying just relations between employer and employed, and this statement, after full consideration, was, the Board says, frankly accepted by the parties concerned. The men, it was added, were willing to return to work, and the expectation of the Board was that harmony would shortly be restored.

In a letter, under date of April 24, the Manitoba Cartage and Warehousing Company, declared itself unable to accept the terms of the award but the Department was given to understand that no cessation of work took place as all of the former employees who desired to remain with the Company had been taken back with one or perhaps two exceptions.

#### TEXT OF REPORT OF BOARD.

The text of the findings of the Board is as follows:—

March 27th, 1909.

TO THE HONOURABLE THE MINISTER OF LABOUR,  
Ottawa, Ontario.

The Board of Conciliation appointed in the matter of the dispute between the Manitoba Cartage Company and its employees, begs to report as follows:—

The Board being duly constituted began its sittings on March 1st, 1909, approached the Manitoba Cartage Company with the request that



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the Company accept the appointment of Professor Cochrane to sit upon the Board in the interests of the Company, in the following terms:—

March 4th, 1909.

JOSEPH LEMON, ESQ.,  
General Manager,  
Manitoba Cartage Co., Ltd.,  
Winnipeg, Man.

My Dear Mr. Lemon:—

You may have noticed that in connection with the difficulty that has arisen between the Manitoba Cartage Company, Ltd., and its employees, the Honourable the Minister of Labour has constituted a Board of Conciliation as provided by the Industrial Disputes Investigation Act. The members of the Board are Mr. T. J. Murray, whose name was suggested by the employees of the Company, Professor Cochrane of the University of Manitoba, appointed by the Department to act upon the Board with special reference to the interests of the Company, and myself as chairman.

The Department has placed in our hands a copy of the application of the employees for the appointment of a Board of Conciliation, containing a statement of the grievances which it is claimed the employees are suffering at the hands of the Company.

A copy of this statement I send you herewith for your perusal. I should be pleased to have your opinion upon this statement, and also to have any observations you consider it proper to make. You will readily understand that it is necessary for the Board to have before it a statement of both sides of the case before any wise action is possible.

The Minister also sent down a copy of the communications that have passed between the Department and yourself in regard to this whole matter. In looking over these communications it has been clear to me that when you declined to suggest a name for the Board of Conciliation you quite misunderstood the line of action proposed by the Department. I noticed you say, for instance.

“I am directed by my Company to reply that having considered the matter, it is decided not to engage in the proposed arbitration proceedings by the appointment of an arbitrator.”  
and also this,

“We do not agree with the step which has been taken and are obliged to state that the Company does not admit the right to proceed to form a Board of Arbitration as proposed.”

Evidently what you declined to do was to submit the question at issue between the employees and the Company, to arbitration. Now I quite agree with you that there are certain questions between employers and employees which cannot properly be submitted to arbitration. But may I venture to point out that this is no Board of Arbitration. I would like you to notice that while in regard to authority for taking evidence, examining witnesses under oath, calling for books, papers, etc., the Board of Conciliation possess equally large powers with those assigned to a Board of Arbitration, these Boards materially differ in two important features.

1. In regard to *Constitution*.

In the Board of Arbitration there are two members, each of whom is a representative of one of the parties to the dispute. In the Board of Conciliation the members are not representatives in this sense at all.



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Further, in the Board of Arbitration each party voluntarily enter into an agreement to arbitrate and chooses its representative. In the Board of Conciliation this agreement is not necessary, the Department may constitute the Board though one party may refuse to co-operate.

2. These Boards differ in regard to *Function*.

In the Board of Arbitration the attention of the Board is concentrated chiefly upon evidence with a view to arriving at an equitable decision and making a fair reward. In the Board of Conciliation the attention is directed to persons with a view to bringing them to such an attitude of mutual understanding and confidence that difficulties may be removed and harmony re-established.

Further, in the Board of Arbitration the award is binding upon the parties. In the Board of Conciliation each party is left free to accept or reject any suggestions the Board may have to offer. A Board of Conciliation may in some cases pave the way for arbitration, or in others, may render arbitration unnecessary.

It is difficult to see how any one can hesitate to avail himself of the services of a Board of Conciliation, for while it is always within a man's right to refuse to arbitrate, it is hardly conceivable that he can rightly decline conciliation.

It is in accord with my interpretation of the spirit of the Act, and in this my colleagues agree, that we should avoid as far as possible formal legal procedure, rule out all appeal to technicalities, etc., and conduct the proceedings of the Board in a friendly, common sense, business like way, keeping steadily in view our main object, the bringing of parties together in such a spirit as shall promote harmonious relations.

I venture to hope, therefore, my dear Mr. Lemon, that with the removal of your misconceptions in regard to the nature and function of the Board of Conciliation, your Company will be glad to avail itself of the good offices of the Board in restoring the harmony and mutual good feeling which I understand has always characterized the relations between your Company and its men.

I do not anticipate any lengthened proceedings, and I am convinced that with the frank and hearty co-operation of both parties, the differences may be composed and all further trouble averted.

Yours very truly,

(Signed) CHARLES W. GORDON,  
*Chairman.*

THE COMPANY'S REPLY.

To this the Company answered as follows:—

Winnipeg, Man., March 8th, 1909.

REV. CHARLES W. GORDON, D.D.  
St. Stephen's Church,  
Winnipeg, Man.

My Dear Mr. Gordon:—

I am just in receipt of your letter of the 4th inst., only posted on the 6th inst., relating as to relations between the Manitoba Cartage Co., Ltd., and its employees and the proposed Board of Conciliation.



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The difference of terms as to the title of the Board is not in my opinion one which in any way materially affects the nature of the proceedings, whether the Board is called the Board of Conciliation or a Board of Arbitrators.

This Company, I may say for your information and that of the members of your Board, has conducted its business at Winnipeg for twenty-seven years, during which time it has not had any difficulties with its employees, the relations having always been most satisfactory.

The grounds put forward now for invoking the Industrial Disputes Act are such that this Company, after giving the matter careful consideration, thought it was not desirable that it should take part in the proceedings. There were a number of reasons for this. In the first place it is doubtful, we are advised, as to whether the Act applies to such a Company as ours. A number of our men were laid off for what the Company considered was good and sufficient cause, and in the management of its affairs the Company naturally is opposed to having its decision on such a matter made the subject of arbitration or proceeding under the Act.

Acting on the advice of Mr. Murray, Solicitor for the men referred to, it was thought fit by a few of the men to take this matter before a department of the Government, with the view of setting the machinery of the Act in motion as against the Company with the result that your Board has been appointed, the Company declining to take any part in the proceedings, as clearly appears from the correspondence with the Department which has already taken place.

The Company would be willing under other circumstances, to welcome the intervention of such gentlemen as yourself and Prof. Cochrane in any matter which could be referred to for disposition by a Board of Conciliation or Arbitration, but under the circumstances involved in this matter and with the view of continuing to manage the Company's business free from outside dictation or interference, have come to the conclusion that the interests of the Company and its employees can be best served by declining to take part in the proceedings.

Yours truly,

(Signed) J. LEMON.

## CHAIRMAN'S SECOND LETTER.

To this letter the following reply was sent:—

March 10th, 1909.

J. LEMON,  
Manitoba Cartage Company,  
Winnipeg, Man.

My Dear Mr. Lemon:

I beg to acknowledge the courtesy of your letter of March 8th. I regret that you cannot agree with me in regard to the nature and constitution of the Board of Conciliation, but it is not necessary to discuss this further.

I should like to express my gratification at the kindly relations which you say have existed for the past twenty-seven years between the Company and its employees, and it is this fact that gives me every confidence in hoping that those relations may be restored in a short time and without



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serious difficulty. I am sorry that your Company continues to decline co-operating with the Board in an attempt to restore harmony.

As to the question of jurisdiction of the Board, that of course is beyond our province to discuss. The Government has established the Board and this is sufficient indication as to its interpretation of the applicability of the Act to your Company, and it would, therefore, be improper for us to even discuss this point. It is simply my duty to inform you that the Board is constituted and is proceeding to discharge its functions.

I notice you say that the Company has a number of reasons for declining to take part in the proceedings. We should be very pleased if you could let us have these reasons.

This evening at eight o'clock in the office of the Master of Chambers in the Court House in this city the Board of Conciliation will meet, and will proceed to investigate the alleged grievances of former employees of your Company. The Board respectfully requests the presence of yourself or of some official of the Company at that meeting. It will be your privilege to cross-examine witnesses and offer any evidence you may desire. We hope that you will see your way to accede to this request, and we beg to assure you that the Board will conduct its proceedings in a spirit of conciliation and thorough sympathy with all the interests involved.

Yours very truly,

(Sgd.) CHARLES W. GORDON,  
Chairman.

The Board thereupon proceeded with its investigation. The representative of the Teamsters' Union and a number of the dismissed employees on the one hand, and the Manager, Cashier and Foreman of the Manitoba Cartage Company on the other, attended the sittings and gave cordial assistance.

After the Board had practically concluded the taking of evidence, the following statement was prepared, setting forth the history of the case and the Board's reflections and suggestions thereanent:

#### STATEMENT.

##### *History of the Question from the side of the Men.*

Fifteen employees of the Manitoba Cartage Company were summarily dismissed from the service of the Company without warning and without cause assigned.

Enquiry at the office by some of the men dismissed elicited no information as to cause of dismissal.

The dismissed employees thereupon met and appointed a delegation to wait upon the Company. This delegation was composed of the Secretary of the Teamsters' Union and the legal adviser of the men. The delegation was referred for answer to the Company's Solicitor, but from him obtained no satisfactory reply.

The dismissal of these men occurred immediately subsequent to the institution of a vigorous attempt to revive the Teamsters' Union, and to recruit members therefor.

The men, considering that they had a grievance in thus being discharged without warning, and without cause assigned, and construing the action of the Company as hostility to the Union and as an indication of its unwillingness to have Union men in its employ, appealed to the Department of Labour for the intervention of a Board of Conciliation.



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*History of the Question from the side of the Company.*

For twenty-seven years the Company had conducted its business in such a manner and in such a spirit as to preserve most cordial relations between the Company and its employees, and up till the present there had been no cause of general complaint on the part of the Company and no grievance on the part of the men in regard to hours, wages or conditions of work.

About the 22nd of January, 1909, there was initiated what appeared to the Company an aggressive campaign on behalf of Unionism. As this campaign proceeded, the Company considered that the methods employed were such as to hinder the Company's work, interfere with non-union men and generally to disorganize the discipline of the Company. The Company, therefore, determined to remove the supposed causes of disorder and restore discipline by dismissing those who were considered to be engaged in this campaign for Unionism. The Company was all the more strengthened in this determination by the suspicion that the sudden display of activity in the interests of Unionism was due to the visit of an organizer from the United States.

The Company further determined that its ends would be more fully accomplished if it assigned no cause for dismissal, in the expectation that in a few days the men would apply for reinstatement, and that this would furnish an opportunity for explanation of the cause of dismissal after the men would be restored.

When the deputation arrived from the men, the personnel of this deputation gave rise to the opinion that the Company was being approached by the representatives of the Union, and, therefore, the Company declined to enter into negotiations, but referred the deputation to its solicitor who declined to give any response satisfactory to the men.

## OBSERVATIONS OF THE BOARD.

The Board of Conciliation offer the following observations upon the whole case:

1. The Board is gratified to find that during the whole course of the Company's existence there seems to have been nothing but the friendliest relations existing between the Company and its men, and up to this present trouble there has prevailed a feeling of mutual confidence and good will.

2. The Board is even more pleased to discover that even since the trouble has arisen there has been imported into the dispute no feeling of bitterness and no disposition to seek revenge. This has made the work of the Board much easier and much more pleasant than it otherwise would have been and has rendered it possible for the two parties to come together again.

3. The Board is especially gratified that the Company and the men have, with the utmost courtesy and cordiality, co-operated in the effort to restore harmony.

4. The Board firmly believes that the trouble would have been averted, but for errors in judgment somewhat serious but entirely explicable on the part of both the Company and the employees.

1. On the part of the men.

- (a) The Board is of opinion that in their enthusiastic determination to advance the interests of the Union and to secure recruits, the employees allowed themselves to encroach more than they imagined upon the rights of the Company in regard to the time, the place and the methods of the propaganda. The Board feels, and in this Union cordially agrees, that employees



cannot too carefully regard as sacred to the interests of the Company every moment of working hours and every part of the organized system under which the Company's business is operated.

(b) While in seeking redress of grievances the employees had a perfect right to invoke the aid of their Union, it would have been wiser if as a first move the Committee appointed to wait upon the Company should have been composed of dismissed employees. The Board is of opinion that when employees feel themselves aggrieved, the first move toward redress should be made by the men affected as a body of employees rather than as an organized Union, and that the Union should formally appear only when this first step is fruitless. In the present instance, while the Committee sent to interview the Company represented the employees and not the Union, the complexion of the Committee was such as might very properly give the Company the impression that it was being approached by the Union and not by their discharged employees.

## 2. On the part of the Company.

(a) The Board is of opinion that the Company overestimated the seriousness of the campaign carried on among their employees on behalf of Unionism, and though to the Company there seemed to be an objectionable aggressiveness on the part of some of their employees, it would have been wiser to have allowed this to pass either unnoticed or with a warning that the Company's business or the Company's men must in no way be interfered with.

(b) The plan of discipline adopted by the Company miscarried in one important particular, viz., the intention of the Company to explain the cause of dismissal, and the further intention to reinstate after the ends of discipline had been served, was frustrated by the trend of events, the policy adopted by the employees not giving the Company the opportunity desired to carry out its purpose. But for this unfortunate miscarriage, the trouble might have been avoided. It would have been wiser if the Company had intimated clearly that it had no hostility to Unionism, but that it was determined to insist that Unionism should not interfere with the efficiency of its service.

## CONCLUSIONS OF THE BOARD.

As a result of these observations and of the evidence obtained during the investigation, the following facts appear to have emerged:

1. There exists at present moment no real cause of dispute between the Company and its employees. The employees are entirely satisfied with the terms and conditions of their employment, and the Company is satisfied with the manner in which the employees do their work.

2. There is a most gratifying absence of any spirit of hostility between the two parties.

3. The trouble that has arisen has been due partly to mutual misunderstanding and partly to errors in tactics. The Board is clearly of the opinion that with these misunderstandings removed there exists no reasonable ground for a continuation of the trouble, and that each of the parties, without the slightest surrender of principle and without even the appearance of surrender of position assumed, might and should enter at once into the former friendly relations.



## SUGGESTED BASIS OF AGREEMENT.

The Board, therefore, venture to suggest that the following might be accepted as by both parties as a basis of agreement:

“ That there should be a clear understanding and a frank reinstatement of certain principles that underlie all just and right relations between employer and employees, viz.: on the one hand that the employer shall fully recognize the right of employees to membership in any organization they may choose; that no employee should be discriminated against on the ground of Unionism. Further, that every employee considering himself aggrieved in being dismissed, has a right to information as to the cause, and has a right to be heard either personally or through a committee in his own behalf.

On the other hand, that while employees have perfect liberty in regard to membership in the Union and in regard to promoting the interests of the Union, they have absolutely no right to use the employer's time, property or organization for the propagating of the principles of Unionism or for the securing of recruits or for any other purpose than that for which they are paid, the promoting of the business of their employer.

That while the Union must be accorded full rights to promote the welfare of its members and to guard their interests in every legitimate way, it has no right to demand that an employer shall use his influence in any way to promote the cause of Unionism, or to coerce any man into joining the Union.

The frank and full acceptance of these principles would, in the judgment of the Board, form a fair and just basis upon which the parties might come together and harmony be restored.”

This statement the employees and the Company, after full consideration very frankly accepted.

After the conclusion of the investigation the Board was able to arrange that a deputation of the men dismissed should wait upon the Company to ask reinstatement. To this request the Company up to the present time has not acceded, assuming the attitude to which it has consistently adhered throughout, viz.: that while willing to assist the labours of the Board in every possible way, it must decline either to be a consenting party to its proceedings or to accept its suggestions and stating that it would be more satisfactory to the Company that the Board should finish its work and present its report, and leave the Company free to act in the manner that seemed best. This the Board decided to do, but in presenting this report to the Honourable the Minister of Labour, the Board ventures to hope that, misunderstandings have been removed and the Company and its employees having been brought together in a kindly way during these proceedings, they may now be expected to compose their differences.

All of which is respectfully submitted,

(Sdg.) CHARLES W. GORDON,  
*Chairman.*

“ R. R. COCHRANE,

“ THOS. J. MURRAY,  
*Secretary.*



APPLICATIONS WHERE PROCEEDINGS WERE UNFINISHED AT  
THE CLOSE OF THE FINANCIAL YEAR.

In addition to the applications received and disposed of prior to the close of the financial year, the following applications had been received concerning which proceedings were still pending on March 31, 1909:—

1. An application on behalf of railroad telegraphers, employees of the Kingston and Pembroke Railway Company, the number of employees concerned being estimated at 19 directly and 1,600 indirectly.

2. An application on behalf of the employees of the Dominion Coal Company, Glace Bay, C.B., the number of employees concerned being estimated at 3,000.

3. An application on behalf of the employees of the Nicola Valley Coal Company, Middlesboro, B.C., the number of employees concerned being estimated at 150.



## LEGAL DECISIONS.

Three prosecutions for alleged infringement of the terms of the Industrial Disputes Investigation Act, 1907, were reported to the Department during the year. Under Clause 67 of the Act, in cases of prosecutions, whether a conviction is or is not obtained, it is the declared duty of the clerk of the Court before which any prosecution takes place to briefly report the particulars of such prosecution to the Registrar of Boards of Conciliation and Investigation within thirty days after it has been determined. The various cases reported to the Department were as follows:—

## I.—PROSECUTION AT MICHEL, B.C.—QUESTION OF JURISDICTION TO IMPOSE PENALTIES.

A decision Act given at Michel, B.C., during the month of May, as the outcome of some industrial disturbances in the collieries of the Crow's Nest Pass Coal Company. Information was laid on behalf of the Company against James Douglas, Charles Gardner and William Whitehouse, charging them with violation of the Industrial Disputes Investigation Act by inciting and encouraging to strike. The cases were tried before Mr. J. H. McMullen, stipendiary magistrate in and for the county of Kootenay, B.C., on May 21, and on May 23, a decision was rendered by Mr. McMullen to the effect that his court had no jurisdiction in the case. The text of the decision is as follows:—

## TEXT OF DECISION.

James Darbyshire, Informant.

James Douglas *et al*, Accused.

Before coming to any consideration upon the evidence adduced in support of the information it is necessary to decide the validity of the point raised by the defence agent against my jurisdiction to hear and determine the case.

The principal objection raised by Mr. MacDonald is that this is not the tribunal contemplated by the Act, for the purpose of hearing and determining an information laid under Section 60 of the said Act, which reads as follows:

60. "Any person who incites, encourages, or aids in any manner an employee to declare or continue a lockout, or any employee to go or continue on strike contrary to the provisions of this Act, shall be guilty of an offence and liable to a fine of not less than fifty dollars nor more than a thousand dollars."

As it is necessary to refer to Section 61,, I give the text of it, which is as follows:

61. "The procedure for enforcing penalties imposed or authorized to be imposed by this Act shall be that prescribed by Part XV of the Criminal Code, relating to Summary Convictions."



It is stated in Paley on convictions that the examination and punishment of offences in a summary manner by Justices of the Peace . . . . are founded entirely upon a special authority conferred and regulated by Statute, and I can find no legislation in Canada which raises this general principle of law; on the contrary, the following comments on the same question are found in Seagers' Magistrates' Manual:

“ Jurisdiction is the authority which an official has by law to hear and determine and do justice between the parties in a cause or matter brought before him. It is never presumed, but must appear affirmatively in some authorizing Statute, otherwise his proceedings are absolutely void. No power or right to hear and determine a cause can be given otherwise than by some jurisdiction conferred by and emanating from sovereign authority.”

It is further argued that such an information is not triable under Part XV of the Criminal Code relating to Summary Convictions and that the said Part XV does not apply to the Industrial Disputes Investigation Act except in so far as the same is especially made to do so by the provisions of Section 61, which particularly states that all the proceedings subsequent to conviction shall be governed by the provisions of Part XV of the Code. I am of the opinion that Parliament purposely excluded the operation of all the Sections of Part XV save those mentioned in Sec. 61 so that the penal clauses should be administered either by the Minister of Labour, to whom is given by virtue of Sec. 3, the general administration of the Act, or by a Board of Investigation and Conciliation created by the Act. In any event if Parliament intended that all the provisions of Part XV of the Criminal Code should apply to the Act in question it is natural to suppose that they would have so stated, instead of directing that only a portion of said provisions should apply.

My opinion is strengthened by the fact that I have read a number of the acts of a quasi criminal nature passed during the same session as that in which the Act in question was passed, as well as Acts of a similar character contained in the revised Statutes of Canada such as the Electricity Inspection Act, the Meat and Canned Foods Act, Canada Temperance Act and the Lord's Day Act, and in all cases I find that the penal clauses contain the words “ on Summary Conviction ” which words are lacking in Sec. 60 of this Act.

For these reasons I am of the opinion that it was not intended that offences against the said Act should be tried under Part XV of the Criminal Code and I decide accordingly. Unless I have jurisdiction under said Part XV of the Criminal Code I am of the opinion that the Act contains no other provisions whereby the information can be heard and determined by me and I decide accordingly.

The Counsel for the defence has raised a number of other objections to the proceedings before me, and if an appeal should be taken from my findings on the main question of law involved and these findings be reversed by the Appellate Court, I think that I should also dispose of the other matters so that all the important questions of law may be decided at one time by such Appellate Court.

I, therefore, find that all the remaining objections raised by the Counsel for the defence are not well taken, with the exception of that demurs which to the information on the ground that it includes more than one offence. I find that



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this objection is well founded as the informations charge that the accused “ did incite or encourage,” etc., each of which in my opinion constitutes a separate offence.

J. H. McMULLIN,  
*Stipendiary Magistrate in and for  
the County of Kootenay.*

II.—JUDGMENT IN SUPREME COURT OF ALBERTA ARISING OUT OF CHARGE OF BREACH  
OF AGREEMENT EFFECTED UNDER ACT.

A decision of considerable interest, arising out of alleged violation by the Stratheona Coal Company, Ltd., of Stratheona, of the findings of a Board of Conciliation and Investigation relating to a dispute between this Company and certain of its employees, was rendered by Hon. Mr. Justice Stuart, in the Supreme Court of Alberta, on June 24 and 25, 1908.

On November 13, 1907, a Board of Conciliation and Investigation was established to adjust differences between the Stratheona Coal Company, Ltd., of Stratheona, Alta., and certain of its employees. The Board consisted of Mr. Geo. S. Montgomery, Chairman; Mr. F. L. Otter, recommended by the Company, and Mr. F. H. Sherman, recommended by the employees. The number of men affected by the dispute was estimated at 40. The differences referred for investigation involved a change in the hours of labour, the men asking an eight-hour day from bank to bank; a change in the method of paying wages, the men asking weekly pay in legal tender; recognition of the United Mine Workers of America, and various changes in conditions of work in and around the mine. The Board was fully constituted on December 2, and met at Edmonton during the month. On December 28, the Department received a report from the Board showing that an agreement had been reached on all points in dispute, effective from December 23, 1907, until March 31, 1909. The agreement involved an 8-hour working day at face or place of working; semi-monthly payment of wages by cheque; supply of screened coal by the Company to its workmen at \$3.25 per ton within Stratheona city limits; and full recognition of the United Mine Workers of America, with the adoption of the check-off system, and an arrangement for the settlement of local or general disputes. The agreement included also various provisions as to conditions of work. The final clause of the agreement read as follows:—

“This contract goes into effect on Monday, 23 December, 1907, and continues until March 31, 1909, provided if the Stratheona Coal Company, Limited, sell the mine, this contract will cease and terminate.”

The agreement was signed by the three members of the Board and by W. E. Ross, Managing Director, for the Company, and by John R. Galvin for the employees.

In a covering letter to the Minister, accompanying the report of the Board, and dated December 23, the chairman of the Board, Mr. Geo. S. Montgomery, stated:—

“Whilst the Board was not called upon to investigate fully the matters between these parties, there is no question but that the mere fact of the Board



having been appointed by the Government, and being in session, had the effect of bringing about a reconciliation and a compromise between these parties. It is the unanimous opinion of the Board that the law is successful.”

Subsequently an action was brought on behalf of the employees charging the Company with a breach of the agreement in various respects. The case was argued before the Hon. Mr. Justice Stuart, in the Supreme Court of Alberta, on June 24 and 25, Mr. H. A. Mackie appearing as counsel for plaintiffs and Mr. J. R. Lavell representing the defendant Company.

Judge Stuart delivered oral judgment in the case, the complete text of the same as furnished to the Department by the Clerk of the Supreme Court, Edmonton Judicial District, being as follows:—

I had thought at one time of reserving my judgment in this case for the purpose of giving carefully and in extenso my reasons for the judgment that I should give, because it is a matter, I have no doubt, of very great interest to a great many people in the community, and the action has been brought really, I presume, because it is of such general interest, but I do not see that any advantage can be gained by reserving that decision for the reason that my views in the matter as to the rights of the parties are quite clear, and I think I can give my reasons for the judgment I am about to give as well now as at any later time.

I may say, in the first place, that my only reason for not dismissing the United Mine Workers of America, District No. 18, from the case and from the record at the very opening of the trial, and my reason also possibly for not dismissing the action as a whole at the opening of the trial for the reasons I am going to give for dismissing it now, was because I did not want to leave the impression upon these plaintiffs, who are labouring men and members of the Trades Union, that their case was being treated unceremoniously or with contempt, and for that reason I have listened, I think, with some patience, not only to the evidence, but to the argument that has been advanced upon their behalf.

There can be no doubt in the world, as Mr. Mackie admitted at the close of his argument, that the United Mine Workers of America, District No. 18, can have no status in any court as parties plaintiff or as parties to the action at all. It is not alleged in the statement of claim that they are a body corporate, and they are not proven a body corporate. The only persons that have a right to sue in court are individuals or bodies corporate who are given that right by statute. There is the exceptional case, of course, of Trades Unions registered under the Trades Union Act. If the United Mine Workers of America, District No. 18, had been registered under The Trades Union Act, they would, according to the decision in the Taff Railway case, no doubt, have been entitled to be sued, and I think corollatively to sue in court. But it is admitted that they are not registered; therefore they are a nondescript body as far as this court is concerned, and certainly their claim, as far as this court is concerned, must be dismissed. It is true Mr. Mackie referred me to certain cases in British Columbia in which actions seem to have been brought against the Western Federation of Miners, or certain Unions of that organization, but it does not appear from the records whether or not they were registered under the Trades Union Act, and I am inclined to think from reading the reports that they were simply, after all, only representative actions, because a large number of individual defendants were



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joined as well as the Federation of Miners, and I do not think that those cases furnish any authority for saying that the United Mine Workers of America, District No. 18, can bring any action, or that they have any status in court. For that reason, in respect to them the action will be dismissed with costs, if you can get them out of that organization.

Now, with respect to the individual plaintiffs, the position is a bit more serious, and there is something more to be said on their behalf. I notice, however, that the statement of claim is very peculiarly drawn. It alleges that The United Mine Workers of America, District No. 18, are a labour organization and that the other plaintiffs are coal miners, and that they made and executed the hereinafter mentioned agreement, and that up to the 27th day of February, 1908, were employees of the defendant Company and were members of District No. 18 of the United Mine Workers of America. It alleges that in pursuance of "An Act Respecting Conciliation and Labour," being chapter 96 of the Revised Statutes of Canada, 1906, certain differences between the plaintiffs and the defendant were referred to a Board of Conciliation. I am inclined to think that that allegation is made under a misapprehension, and that the reference was really made to the Act with respect to Industrial Disputes of 1907. Then it goes on to allege, as a result of that reference, that the plaintiffs and defendant entered into and executed a certain agreement which is set forth and which I need not read. The agreement, however, purports to be between the defendant Company and the employees of the Company represented by the United Mine Workers of America, District No. 18, and is really an agreement setting forth certain conditions and certain terms to which the employees of the Company and the Company itself agrees to be bound, terms with relation to the rate of payment for mining coal, and particularly the terms in article No. 5, that the Company agreed to attend to timber, water and track. Then the statement of claim says that in contravention and violation of this agreement the defendant Company did not pay the plaintiff coal miners who were working in the defendant's mine semi-monthly, which was one of the terms of the agreement, but allowed periods of five weeks to elapse without paying them; that on the 6th day of February, the defendant Company reduced the rate of payment to the plaintiff coal miners from 33 1-3 cents per car, which was the rate stipulated in the agreement, to 28 cents per car, and that the defendant Company refused to pay certain other rates of wages in respect of turning and opening rooms, etc., that the defendant Company, without any just cause or reason, and in contravention and violation of the agreement, particularly of the second paragraph thereof, discharged certain of their employees, three of the plaintiffs; and it goes on to allege that on the 25th of February, 1908, three of the plaintiffs who composed the pit committee referred to in the agreement, and the discharged plaintiffs, met the pit boss, and treating him as the agent I presume, of the defendant Company, requested reinstatement for those who were discharged, and that reinstatement was refused; that the defendant Company laid off certain of the plaintiff miners, in contravention of the agreement; that during the employment of the plaintiff coal miners, the defendant Company, in violation of the agreement, failed to keep the track in proper repair, condition and order; failed to drain the mine in proper manner, and that by reason of this failure, the plaintiff coal miners were prevented



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from doing as much work and earning as much money as they otherwise could and would have done. The statement of claim further alleges that the defendant Company failed to properly and adequately timber its mine, so that the plaintiff coal miners had and were compelled to timber their own workings in the mine; that on account of that, the plaintiff coal miners were occasioned great loss of time; and it is alleged further that in consequence of these breaches by the defendant of this agreement, the plaintiffs, not saying who particularly, but the plaintiffs generally, have suffered damages thereby; and there is the claim for \$90 damages per day since the 27th of February, 1908, until the date of judgment; another claim for reinstatement of the coal miners in the defendants' mine, and another claim in the alternative for damages for \$90 a day during the term of the agreement; and there is another claim for additional damages for \$978 on account of the failure, apparently, to keep the track and mine in proper condition and to supply timber. That is the substance of the statement of claim. I fail to see how, as that statement of claim is drawn, it can be said to set forth the cause of action in any one of these individual cases. It is not alleged that these individual plaintiffs entered into a contract to mine coal for the defendant Company, except by a very remote inference, from the words that are used, and before even I could give judgment for the individual plaintiffs, it seems to me that the statement of claim would have to be completely revised so as to contain allegations that the plaintiff, John Ordza, and the other plaintiffs, separately and individually, entered into a contract with the defendant Company to mine coal in their mine, and that on or about the 23rd day of December, 1907, the defendant Company agreed that with respect to these separate contracts made by these individual men, certain conditions and terms should apply by virtue of this agreement which is pleaded here, and that the agreement was made on behalf of each of the individual plaintiffs through persons who were their agents, viz., the persons signing it, Mr. Sherman and Mr. Galvin, and the other persons whose signatures appear. And the revised statement of claim that I have suggested would have to go on and say that those individual contracts were broken by the defendant Company in the way, no doubt, that is set forth in paragraph 9 and 10 of the statement of claim as it stands, which deal particularly with the condition of the mine and the supply of timber. But I fail to see how I could give judgment on such a statement of claim as that, unless an amendment were made along the lines I suggest. The rights of all these eighteen individual men have been placed in this record in one general statement, as if they were a corporation themselves, or perhaps as if they were partners themselves, but they are neither a corporation nor partners. Each individual man when he went into the employment of that Company, made a separate contract of his own with that Company to mine coal for them, and for breaches thereof, if there were breaches proven, there is no doubt in the world that these men would have been entitled to sue for damages and to recover them if the evidence justified the recovery.

But even assuming that such a revision of the statement of claim were made so as to contain separate allegations in respect of each of the eighteen individual plaintiffs, there is still a question which has been raised by the defendant as to the right of eighteen individual plaintiffs to sue in one action



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for the breach of eighteen separate contracts. It is quite impossible, in my view of the case, for the plaintiffs to succeed in their contention that there was one individual contract. The contract is expressed as being made between the defendant Company and the employees of the company as represented by The United Mine Workers of America, District No. 18. The particular employees are not mentioned in it; the particular plaintiffs who sue here are not mentioned in it, and it seems to me that it is quite impossible for the plaintiffs to succeed in their contention that this was one contract, a joint contract, because these eighteen plaintiffs never did jointly agree to anything with the defendant Company. They did not go in as partners or as joint contractors in any way to mine coal for the Company. They went into the employ of the defendant Company at different times. They each, when they went into the employ of the Company, made a separate contract with that Company to mine coal for them, and I do not think that those separate contracts could possibly be considered as turned into a joint contract by what happened on the 23rd day of December, 1907, that is, by this agreement that has been set forth here. The very best that can be taken out of it even for the plaintiffs is this, that on that date certain persons representing them agreed for each of the eighteen individuals that the terms and conditions set forth in this paper should govern the contract which these eighteen individual men made and entered into with the defendant Company for mining coal.

That being so, there being eighteen distinct individual contracts, the results follow that for a breach of each of those eighteen individual contracts there would be a separate and distinct right of action in the eighteen individual plaintiffs. Now, assuming that the revision of the statement of claim were made that I have suggested, we would still be face to face with the question whether these plaintiffs had any right to join in such an action as this. I have not anything to do with the policy of the law, whether the law is good law or bad law. I have simply to deal with this case under the law as it stands, and as I conceive it to be. Under the rules of practice, rule 26, the law is that a number of plaintiffs may join in the same action. But I am face to face with the interpretation of that rule which was made in the House of Lords in the case *Smurthwaite vs. Hannay*, which decides that that applies simply to a joinder of plaintiffs, and not to a joinder of different rights of action. There is no doubt that there are eighteen distinct rights of action in these eighteen different plaintiffs, and that the decision in *Smurthwaite vs. Hannay* is exactly in point, and the result of it is that those eighteen rights of action cannot be joined in one case. The defendants raised this objection, and I think that they were entitled to raise it even as late as they did, in view of the way that the action is brought, not merely throwing in The United Mine Workers of America, District No. 18, who had no status at all, but by attempting to treat the whole affair as if it were one agreement and one right of action. So that I am bound to say, even aside from the merits of the case, I do feel very much disposed, and I do intend, to decide this case on this ground of the misjoinder of so many actions in one case. It is true that it might have been inconvenient for each of these eighteen individual persons to have brought their action separately. It is true that if they had done so, an application might have been made for consolidating the actions,



and if that had been done, I presume we would have had a proper statement of claim with respect to each man's action, and we would have known what it was he claimed individually; but in view, as I say, of the way the whole thing has been thrown together, I do not think that I am treating the plaintiffs unfairly at all in insisting upon this point and giving judgment following *Smurthwaite vs. Hannay*. Indeed I do not think I have any power to do otherwise than I am doing when Mr. Lavell, for the defendant, raised the point. The law is there, and I have to administer it as it is. He raised the objection, and it is clearly by the House of Lords a good objection and I am bound to follow it.

I would like to say this, however, for the benefit of the plaintiffs, that this does not mean that they are to be forever pestered by this law, even if it is a bad one. The English rules have been changed, and if we had had the new English rule, which says: "All persons may be joined in one action as plaintiffs, in whom any right to relief in respect of or arising out of the same transaction or series of transactions, is alleged to exist, whether jointly, severally, or in the alternative, where if such persons brought separate actions any common question of law or fact would arise; provided that, if upon the application of any defendant it shall appear that such joinder may embarrass or delay the trial of the action, the court or a judge may order separate trials, or make such other order as may be expedient, and judgment may be given for such one or more of the plaintiffs as may be found to be entitled to, without any amendment." Then the objection that the defendant raised could not have been raised, and the plaintiffs would not have been met, at any rate, by the case of *Smurthwaite vs. Hannay*, upon which I am resting my present decision. There is a possibility that these rules may be revised and made more conformable to the present English practice, so that it is not a permanent condition of affairs by any means.

But to go to the merits of the case, supposing I had overlooked this objection and had agreed that these actions might have been brought jointly, or supposing I had had one of these individual plaintiffs here in an action alone, I should come to the conclusion that even then none of these individual plaintiffs could have succeeded. The plaintiffs will, therefore, have the satisfaction of knowing that I am giving judgment upon the merits of the case, as well as upon what they may think is a technicality. Even if I had been dealing, I say, with an individual action of one of these plaintiffs for damages for a breach of the contract that they entered into with the defendant Company to mine coal, I do not see how they could succeed. Their contract was to mine coal in that mine at so much per car, and assuming that this agreement of the 23rd of December, 1907, was applicable to that contract which I speak of, and I think perhaps Mr. Mackie is right in saying that I should think it was applicable, and that the agency was thoroughly established by means of which it was made applicable—what is it that the defendant Company agreed to do? All that is stated in that contract is that the Company attends to timber, water and track. Now that is very, very vague, extremely vague. It seems to me that if the plaintiffs, or the individual plaintiff which I am now speaking of, had desired to insist that this Company should make their mine a perfect working machine, to work like clockwork, so that they individually, as part of that machine, should not be delayed for a moment or to the slightest degree in carrying out their contract,



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if they had wanted to insist that this Company must have timber there on the spot ready for them at every moment, so that there would be no delay, they should have seen that such a stringent stipulation was inserted in the agreement itself. I have to interpret the agreement as it stands, and I have to interpret it in a reasonable way, and my opinion is that the only fair interpretation of that clause is this, that the Company agrees to keep this mine supplied in a reasonable manner with the necessary timber, to put in the necessary timber with reasonable promptness, not with absolute promptness to the very moment, but simply with reasonable promptness; with respect to water, they agree to keep that mine reasonably clear from water, not to keep it perfectly dry, but to keep it reasonably clear from water, so that there will be no unreasonable interference with those men in the pursuance of their contract. The same applies to the stipulation in regard to the track; they have to keep, I should say, the track in reasonably fair condition.

Now, what are the facts? I am bound to say that I find it impossible from the evidence to find that the track was not kept in a reasonably fair condition. At any rate, it was kept in such condition that some of these men were able to earn five or six dollars a day at times, and some of them said they earned on an average of \$4.50 a day. With respect to water, taking the evidence of Landies, the pit boss, and balancing it with the evidence of the plaintiffs, I confess that I am unable to come to the conclusion that the plaintiffs have proven, as the burden was upon them to prove, that the water was not removed with reasonable promptness.

There may have been some wet there; no doubt there was, but I do not think that the plaintiffs, or the individual plaintiff of whom I am hypothetically speaking, has satisfied the burden that is on him of proving that there was any unreasonable condition. The same applies to the timber. There was delay, no doubt, but I confess I do not think they are entitled to come in and demand as their right that that mine should work as a piece of perfect machinery, and that there should be no delay whatever in putting up the timber. As I have already said, if they wanted to put such a stringent burden on the defendant Company, they should have put it upon them by express words. They did not do that, and I find the fact that timber was attended to with reasonable promptness. It is true some of the plaintiffs say that they did attend to the timber themselves, but I am not convinced that they would have been doing anything else in the meantime.

I want to make this observation, however, that something was said during the course of the trial about the amount these men were earning. These men were on contract, and they had a perfect right to earn just as many dollars a day as they could. They had a perfect right to make ten dollars if they could out of their contract if they wanted to, and there should be nothing inferred against them because they made a great deal. They have just as much right to make a good thing out of their contract as a railway contractor has to make out of a contract building a railway. But the fact still remains that they did make what was apparently a pretty fair wage; and the fact remains that the condition of the mine, as I find it to have been, was not an unreasonable one, and that the delay in supplying timber was not an unreasonable delay. That



is all, I think, that the plaintiffs could ask. Perhaps I am repeating it too much, but I insist upon it that they have no right to ask that the whole affair would work so perfectly, at any rate, under the agreement as it now stands. So that even on the merits, if any individual action may have been brought, I am of the opinion that the plaintiff would not succeed in establishing what he should establish in order to recover damages.

Just let me refer for a moment—it is scarcely necessary in view of so much being said—to what is popularly called The Lemieux Act. In my view, that Act which is technically called The Industrial Disputes Investigation Act of 1907, has absolutely not a single thing to do with this case. That Act was passed for the purpose of preventing industrial disputes and for preventing strikes and lockouts, and all it did was to provide for the establishment of a Board of Conciliation and to insist that before a party to a dispute should take any action which interrupts trade, which would lead to the interruption of commerce, either by a strike or by a lockout, he must refer his case to a Conciliation Board; and if he does not do so, it provides he may be fined. It simply enforces the parties to such a dispute to go before a Conciliation Board and see if the matter cannot be arranged. It had no intention beyond that at all. There is not a single thing in the Act which would give this agreement which is alleged here any higher efficacy or authority than it would have had had it been entered into quite apart from a meeting of any Conciliation Board. Mr. Mackie referred to section 62, but I can find nothing in that section which would make this agreement any more binding than it would have been otherwise. In fact, I rather think that the Act is just a little misleading when it speaks of parties, as it does in section 62, being bound as upon an award made pursuant to a reference to arbitration, because in nearly every case, that is cases in which I have had experience, the parties to such a dispute are, in the first place, the employer, who is generally a definite person or a corporation, and on the other hand the employees, an indefinite body, represented by some trades union, not incorporated, not registered. So that the use of that expression, parties being bound upon an award, is to my mind—I think I understand the Act—a little misleading, because it is very difficult, just as we find here, to see how such parties as the trades union can be bound civilly when they cannot sue or cannot be sued. Possibly by means of the principle of agency, if the parties are definitely known and described that is, the individual employees are named and the document is signed by persons who are recognized as their agents, they might be bound. In fact, in the judgment I have just given, I have practically admitted that, when I ruled against Mr. Lavell's objection, there was no agency in this case for signing the agreement of December 23rd, but, at any rate, however that may be, it is quite clear to my mind, that there is nothing in the Act which places such an agreement as this on any higher position than it would be had it been entered into irrespective of the Act altogether.

For these reasons, I think the action will have to be dismissed with costs.



## III.—JUDGMENT ON APPEAL IN THE SUPREME COURT OF ALBERTA IN A SUIT BROUGHT UNDER THE ACT.

On September 14, 1908, information was laid by George Harrison, of Morinville, before Inspector Worsley, of the Royal North-West Mounted Police, one of His Majesty's Justices of the Peace, alleging that George Montgomery, manager of the Alberta Coal Mining Company, of Edmonton, had caused a lockout in the Company's mines at Morinville, Alta., by refusing to continue to employ 20 of the employees in consequence of a dispute as to wages with a view to compelling the said employees to accept his terms of employment, contrary to the terms of the Industrial Disputes Investigation Act.

On October 1, judgment was given by Inspector Worsley declaring Mr. Montgomery not guilty of the charge. In this judgment the Justice of the Peace observed: "I am of the opinion that Mr. Montgomery was justified in informing the men that he could not pay more than 70 cents, owing to his losing money on a contract, that the three or four days which he asked were merely used in endeavours to settle the dispute; that on the 8th Mr. Montgomery and the men agreed at the rate of \$3.00 per diem, that on the 9th the men did not go to work and as a result on the 10th other men were called in to take their places."

On October 1, information was laid by Mr. George Harrison, of Morinville, against the Alberta Coal Mining Company of Edmonton, in which the latter were accused of causing a lockout by refusing to continue to employ 25 of the employees in its mines in consequence of a dispute as to wages, with a view to compelling the said employees to accept the terms of the Company contrary to the terms of the Industrial Disputes Investigation Act. In this case, by consent of both parties concerned, the evidence given in an action against George Montgomery was put in. The case was dismissed by Inspector Worsley, costs to be paid by the complainants.

The Department received during the month of March the text of a judgment on appeal by Mr. Justice Taylor in the Supreme Court of Alberta in the foregoing case. The particulars are set forth in the text, which is printed in full herewith, viz.:—

In the matter of the Information and Complaint of George Harrison against the Alberta Coal Mining Company, Limited.

This is an appeal from a magistrate dismissing the complaint of one Harrison against the Alberta Coal Mining Company for causing a lockout between the 4th and 10th days of September, 1908, "by refusing to employ twenty-five of its employees in its mine in consequence of a dispute as to wages with a view to compelling the said employees to accept its, the defendant's terms of employment, contrary to an Act to aid the prevention and settlement of strikes and lockouts in mines and industries connected with public utilities, known as "The Industrial Disputes Investigation Act of 1907."



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According to the evidence there was an agreement between the Company and the men on the 18th August to pay 90c. a car for coal mined. On the 2nd September the mine was closed. No notice was given to the men of such closing. Some two or three days after this the men were told that they could go to work at 70c. a car. They refused to accept this, and an agreement was made on the 8th with the men to return to work at \$3.00 a day, but the number of men to be employed was to be reduced to 12 or 15. There had been 20 to 25 employed previously. In the Act under which the complaint is laid, "lockout" is defined as follows:—"Sub-section F of Section 2 (Lockout without limiting the nature of its meaning) means a closing of a place of employment or a suspension of work or a refusal by an employer to continue to employ any number of his employees in consequence of a dispute done with a view to compelling his employees or to aid another employer to compel his employees to accept terms of employment."

In regard to the agreement of August 18th, this I understand was made by the officers of the Union *with* the Company. Is that a valid agreement? Suppose the Union has no status in Court? Could the Union not act as the agent of the men in making an agreement with the Company? But I do not think that the agreement can be attacked in the action. The main point is that the parties were working under the same at the time the mine was closed. The manager says because there were no cars to take away the coal. This to my mind would be a perfectly legitimate reason for closing down the mine or laying off any portion of the men, but we find on the 4th or 5th of September that the men are told that they can return to work if they will accept 70 cents per car instead of 90 cents. This is the time, it seems to me, the lockout started. There would have been no lockout if the men on that date or even on a later date were told they could return to work at the same wage they were getting before being laid off. Mr. Montgomery denies that he told one of the miners that he could not possibly pay 90 cents per car and operate his mine, but it seems to me that his conduct afterwards is not in accordance with this denial. There is no dispute to the evidence that he met the men on the 8th and made them a new offer. If he were satisfied with the former wages, why did he treat with the men for new terms? Why did he not say I have cars now and the mine can be operated? There is an attempt on the part of the defence to prove that the mine was never closed, that some men were working all the time. This may be true. There might have been a few men who were working, but nearly all, if not all, the men were laid off. Even suppose that some of the men were working, in my opinion it is not necessary under the interpretation of lockout that all labour be suspended. After the 5th September some of the men went down the mine to clean up their stalls and see that all was left safe and clean, but this, according to *evidence*, is only a custom of the miners, and I cannot hold that the mine was working while this was going on.

The evidence is very conflicting as to what took place after the settlement was reached on the 8th. Mr. Montgomery stated that he was willing for the miners to go to work on the morning of the 9th, and any that applied to him individually for work got it.



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The Act was passed to aid in the prevention and settlement of strikes and lockouts in mines and industries connected with public utilities. Certain procedure is laid down in the Act which must be followed out, or the party violating the same must pay the penalty imposed. Mr. Montgomery did not attempt to follow this Act. Under the excuse that he had no cars to ship coal he lays off his men, closes his mine, and then attempts to make new terms with his men. He gave no notice as required in Sec. 57. He shuts down his mine and then tried to arrange new terms with his men. It seems to me a clear case of violating of the Act. There is no evidence to show that the mine was closed before the 5th by reason of a dispute. It was on this date that the employees first knew that there was to be a change in wages and a settlement was effected on the evening of the 8th.

I will, therefore, hold that the mine was closed in violation of the Act for three days. As Sec. 58 of the Act fixes the minimum amount at \$100 per day, I will impose a fine on the Company of \$300.00, with costs both of the appeal and in the court below.

Edmonton, March 1, 1909.

(Sgd.)      H. C. TAYLOR.  
                                 J. D. C.









## 6-7 EDWARD VII.

### CHAP. 20.

An Act to aid in the Prevention and Settlement of Strikes and Lockouts in Mines and Industries connected with Public Utilities.

[Assented to 22nd March, 1907.]

**H**IS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Industrial Disputes Investigation Act*, 1907.

#### PRELIMINARY.

#### *Interpretation.*

2. In this Act, unless the context otherwise requires—

(a) “Minister” means the Minister of Labour;

(b) “department” means the Department of Labour;

(c) “employer” means any person, company or corporation employing ten or more persons and owning or operating any mining property, agency of transportation or communication, or public service utility, including, except as hereinafter provided, railways, whether operated by steam, electricity or other motive power, steamships, telegraph and telephone lines, gas, electric light, water and power works;

(d) “employee” means any person employed by an employer to do skilled or unskilled manual or clerical work for hire or reward in any industry to which this Act applies;

(e) “dispute” or “industrial dispute” means any dispute or difference between an employer and one or more of his employees, as to matters or things relating to work done or to be done by him

“Minister.”  
“Department.”  
“Employer.”

“Dispute.”  
“Industrial dispute.”



or them, or as to the privileges, rights and duties of employers or employees (not involving any such violation thereof as constitutes an indictable offence); and, without limiting the general nature of the above definition, includes all matters relating to—

- (1) the wages allowance or other remuneration of employees, or the price paid or to be paid in respect of employment;
- (2) the hours of employment, sex, age, qualification or status of employees, and the mode, terms and conditions of employment;
- (3) the employment of children or any person or persons or class of persons, or the dismissal of or refusal to employ any particular person or persons or class of persons;
- (4) claims on the part of an employer or any employee as to whether and, if so, under what circumstances, preference of employment should or should not be given to one class over another of persons being or not being members of labour or other organizations, British subjects or aliens;
- (5) materials supplied and alleged to be bad, unfit or unsuitable, or damage alleged to have been done to work;
- (6) any established custom or usage, either generally or in the particular district affected;
- (7) the interpretation of an agreement or a clause thereof;

“Lockout.” (f) “lockout” (without limiting the nature of its meaning) means a closing of a place of employment, or a suspension of work, or a refusal by an employer to continue to employ any number of his employees in consequence of a dispute, done with a view to compelling his employees, or to aid another employer in compelling his employees, to accept terms of employment;

“Strike.” (g) “strike” or “to go on strike” (without limiting the nature of its meaning) means the cessation of work by a body of employees acting in combination, or a concerted refusal or a refusal under a common understanding of any number of employees to continue to work for an employer, in consequence of a dispute, done as a means of compelling their employer, or to aid other employees in compelling their employer, to accept terms of employment;

“Board.” (h) “board” means a Board of Conciliation and Investigation established under the provisions of this Act;

“Application.” (i) “application” means an application for the appointment of a Board under the provisions of this Act;

“Registrar.” (j) “Registrar” means the Registrar of Boards of Conciliation and Investigation under this Act;

“Prescribed.” (k) “prescribed” means prescribed by this Act, or by any rules or regulations made thereunder;

“Trade union.” (l) “trade union” or “union” means any organization of employees formed for the purpose of regulating relations between employers and employees.



*Administration.*

3. The Minister of Labour shall have the general administration of this Act.

Minister of  
Labour to  
administer  
Act.

4. The Governor in Council shall appoint a Registrar of Boards of Conciliation and Investigation, who shall have the powers and perform the duties prescribed.

Registrar.

2. The office of Registrar may be held either separately or in conjunction with any other office in the public service, and in the latter case the Registrar may, if the Governor in Council thinks fit, be appointed, not by name, but by reference to such other office, whereupon the person who for the time being holds such office, or performs its duties, shall by virtue thereof be the Registrar.

## BOARDS OF CONCILIATION AND INVESTIGATION.

*Constitution of Boards.*

5. Wherever any dispute exists between an employer and any of his employees, and the parties thereto are unable to adjust it, either of the parties to the dispute may make application to the Minister for the appointment of a Board of Conciliation and Investigation, to which Board the dispute may be referred under the provisions of this Act: Provided, however, that, in the case of a dispute between a railway company and its employees, such dispute may be referred, for the purpose of conciliation and investigation, under the provisions concerning railway disputes in the Conciliation and Labour Act.

Reference of  
disputes to  
Boards of  
Conciliation  
and In-  
vestigation.

6. Whenever, under this Act, an application is made in due form for the appointment of a Board of Conciliation and Investigation, and such application does not relate to a dispute which is the subject of a reference under the provisions concerning railway disputes in the Conciliation and Labour Act, the Minister, whose decision for such purpose shall be final, shall, within fifteen days from the date at which the application is received, establish such Board under his hand and seal of office, if satisfied that the provisions of this Act apply.

Minister to  
appoint  
Boards on  
application.

7. Every Board shall consist of three members who shall be appointed by the Minister.

Members of  
Board.

2. Of the three members of the Board one shall be appointed on the recommendation of the employer and one on the recommendation of the employees (the parties to the dispute), and the third on the recommendation of the members so chosen.

8. For the purposes of appointment of the members of the Board, the following provisions shall apply:—

Procedure for  
appointment  
of members  
of Board.

1. Each party to the dispute may, at the time of making application or within five days after being requested so to do by the Minister,



recommend the name of one person who is willing and ready to act as a member of the Board, and the Minister shall appoint such person a member of the Board.

2. If either of the parties fails or neglects to duly make any recommendation within the said period, or such extension thereof as the Minister, on cause shown, grants, the Minister shall, as soon thereafter as possible, appoint a fit person to be a member of the Board; and such member shall be deemed to be appointed on the recommendation of the said party.

3. The members chosen on the recommendation of the parties may, within five days after their appointment, recommend the name of one person who is willing and ready to act as a third member of the Board, and the Minister shall appoint such person a member of the Board.

4. If the members chosen on the recommendation of the parties fail or neglect to duly make any recommendation within the said period, or such extension thereof as the Minister, on cause shown, grants, the Minister shall, as soon thereafter as possible, appoint a fit person to be a third member of the Board, and such member shall be deemed to be appointed on the recommendation of the two other members of the Board.

5. The third member shall be the Chairman of the Board.

Notification  
to be given  
parties of  
members of  
Board.

9. As soon as possible after the full Board has been appointed by the Minister, the Registrar shall notify the parties of the names of the members of the Board and the chairman thereof, and such notification shall be final and conclusive for all purposes.

Term of  
office.

10. Every member of a Board shall hold office from the time of his appointment until the report of the Board is signed and transmitted to the Minister.

Members not  
to have  
pecuniary  
interest.

11. No person shall act as a member of a Board who has any direct pecuniary interest in the issue of a dispute referred to such a Board.

How vacancy  
to be filled.

12. Every vacancy in the membership of a Board shall be supplied in the same manner as in the case of the original appointment of every person appointed.

Oath of  
office and  
secrecy.

13. Before entering upon the exercise of the functions of their office the members of the Board, including the chairman, shall make oath or affirmation before a justice of the peace that they will faithfully and impartially perform the duties of their office, and also that, except in the discharge of their duties, they will not disclose to any person any of the evidence or other matter brought before the Board.

Clerical and  
other  
assistance.

14. The department may provide the Board with a secretary, stenographer, or such other clerical assistance as to the Minister appears necessary for the efficient carrying out of the provisions of this Act.



*Procedure for Reference of Disputes to Boards.*

**15.** For the purpose of determining the manner in which, and the persons by whom, an application for the appointment of a Board is to be made, the following provisions shall apply:—

Manner in which application to be made.

1. The application shall be made in writing in the prescribed form, and shall be in substance a request to the Minister to appoint a Board to which the existing dispute may be referred under the provisions of this Act.

2. The application shall be accompanied by—

(a) A statement setting forth—

- (1) the parties to the dispute;
- (2) the nature and cause of the dispute, including any claims or demands made by either party upon the other, to which exception is taken;
- (3) an approximate estimate of the number of persons affected or likely to be affected by the dispute;
- (4) the efforts made by the parties themselves to adjust the dispute;

and—

(b) A statutory declaration setting forth that, failing an adjustment of the dispute or a reference thereof by the Minister to a Board of Conciliation and Investigation under the Act, to the best of the knowledge and belief of the declarant, a lockout or strike, as the case may be, will be declared, and that the necessary authority to declare such lockout or strike has been obtained.

3. The application may mention the name of a person who is willing and ready and desires to act as a member of the Board representing the party or parties making the application.

**16.** The application and the declaration accompanying it—

Signatures to application

- (1) if made by an employer, an incorporated company or corporation, shall be signed by some one of its duly authorized managers or other principal executive officers;
- (2) if made by an employer other than an incorporated company or corporation, shall be signed by the employer himself in case he is an individual, or a majority of the partners or members in case of a partnership firm or association;
- (3) if made by employees members of a trade union, shall be signed by two of its officers duly authorized by a majority vote of the members of the union, or by a vote taken by ballot of the members of the union present at a meeting called on not less than three days' notice for the purpose of discussing the question;



- (4) if made by employees some or all of whom are not members of a trade union, shall be signed by two of their number duly authorized by a majority vote taken by ballot of the employees present at a meeting called on not less than three days' notice for the purpose of discussing the question.

Application to be transmitted by registered letter.

**17.** Every application for the appointment of a Board shall be transmitted by post by registered letter addressed to the Registrar of Boards of Conciliation and Investigation, Department of Labour, Ottawa, and the date of the receipt of such registered letter at the department shall be regarded as the date of the receipt of such application.

Party making application to transmit copy to other party to dispute.

**18.** In every case where an application is made for the appointment of a Board the party making the application shall, at the time of transmitting it to the Registrar, also transmit by registered letter to the other party to the dispute, or by personal delivery, a copy of the application and of the accompanying statement and declaration.

Statement in reply to be made and sent to Registrar and to party making application.

**19.** Upon receipt by either party to a dispute of a copy of the application for the appointment of a Board such party shall, without delay, prepare a statement in reply to the application and transmit it by registered letter, or by personal delivery, to the Registrar and to the party making the application.

To whom communications transmitting copies of applications and replies between parties are to be sent.

**20.** Copies of applications or statements in reply thereto, to be transmitted to the other party under any of the preceding sections where the other party is—

- (1) an employer, an incorporated company or corporation; shall be sent to the manager or other principal executive officer of the company or corporation;
- (2) an employer other than an incorporated company or corporation, shall be sent to the employer himself or to the employer in the name of the business or firm as commonly known;
- (3) composed of employees, members of a trade union, shall be sent to the president and secretary of such union;
- (4) composed of employees some or all of whom are not members of a trade union—

(a) Where some of the employees are members of a trade union, shall be sent to the president and secretary of the union as representing the employees belonging to the union; also

(b) Where some of the employees are not members of a trade union and there are no persons authorized to represent such employees, shall be sent to ten of their number;

(c) Where, under paragraph (4) of section 16, two persons have been authorized to make an application, shall be sent to such two persons.



*Functions, Powers and Procedure of Boards.*

**21.** Any dispute may be referred to a Board by application in that behalf made in due form by any party thereto; provided that no dispute shall be the subject of reference to a Board under this Act in any case in which the employees affected by the dispute are fewer than ten.

Jurisdiction.  
At least ten employees to be affected by dispute.

**22.** Upon the appointment of the Board the Registrar shall forward to the chairman a copy of the application for the appointment of such Board, and of its accompanying statement and declaration, and of the statement in reply, and the Board shall forthwith proceed to deal with the matters referred to in these documents.

Method of referring disputes to Board.

**23.** In every case where a dispute is duly referred to a Board it shall be the duty of the Board to endeavour to bring about a settlement of the dispute, and to this end the Board shall, in such manner as it thinks fit, expeditiously and carefully inquire into the dispute and all matters affecting the merits thereof and the right settlement thereof. In the course of such inquiry the Board may make all such suggestions and do all such things as it deems right and proper for inducing the parties to come to a fair and amicable settlement of the dispute, and may adjourn the proceedings for any period the Board thinks reasonable to allow the parties to agree upon terms of settlement.

Duties of Board.

**24.** If a settlement of the dispute is arrived at by the parties during the course of its reference to the Board, a memorandum of the settlement shall be drawn up by the Board and signed by the parties, and shall, if the parties so agree, be binding as if made a recommendation by the Board under section 62 of this Act, and a copy thereof with a report upon the proceedings shall be forwarded to the Minister.

Where settlement effected, memorandum of same with report to be forwarded to Minister.

**25.** If a settlement of the dispute is not arrived at during the course of its reference to the Board, the Board shall make a full report thereon to the Minister, which report shall set forth the various proceedings and steps taken by the Board for the purpose of fully and carefully ascertaining all the facts and circumstances, and shall also set forth such facts and circumstances, and its findings therefrom, including the cause of the dispute and the Board's recommendation for the settlement of the dispute according to the merits and substantial justice of the case.

Where settlement not effected, Board to make report with recommendations.

**26.** The Board's recommendation shall deal with each item of the dispute and shall state in plain terms, and avoiding as far as possible all technicalities, what in the Board's opinion ought or ought not to be done by the respective parties concerned. Wherever it appears

Form in which recommendation shall be made.



to the Board expedient so to do, its recommendation shall also state the period during which the proposed settlement should continue in force, and the date from which it should commence.

Report and recommendation to be made to the Minister in writing.

27. The Board's report and recommendation shall be made to the Minister in writing, and shall be signed by such of the members as concur therein, and shall be transmitted by the chairman by registered letter to the Registrar as soon as practicable after the reference of the dispute to the Board; and in the same manner a minority report may be made by any dissenting member of the Board.

Filing and distribution of report.

28. Upon receipt of the Board's report the Minister shall forthwith cause the report to be filed in the office of the Registrar and a copy thereof to be sent free of charge to the parties to the dispute, and to the representative of any newspaper published in Canada who applies therefor, and the Minister may distribute copies of the report, and of any minority report, in such manner as to him seems most desirable as a means of securing a compliance with the Board's recommendation. The Registrar shall, upon application, supply certified copies for a prescribed fee, to persons other than those mentioned in this section.

Publication of report.

29. For the information of Parliament and the public, the report and recommendation of the Board, and any minority report, shall, without delay, be published in the *Labour Gazette*, and be included in the annual report of the Department of Labour to the Governor-General.

Powers of Board to summon witnesses, compel testimony and produce testimony and production of documents.

30. For the purpose of its inquiry the Board shall have all the powers of summoning before it, and enforcing the attendance of witnesses, of administering oaths, and of requiring witnesses to give evidence on oath or on solemn affirmation (if they are persons entitled to affirm in civil matters) and to produce such books, papers or other documents or things as the Board deems requisite to the full investigation of the matters into which it is inquiring, as is vested in any court of record in civil cases.

2. Any member of the Board may administer an oath, and the Board may accept, admit and call for such evidence as in equity and good conscience it thinks fit, whether strictly legal evidence or not.

Form of summons.

31. The summons shall be in the prescribed form, and may require any person to produce before the Board any books, papers or other documents or things in his possession or under his control in any way relating to the proceedings.

Documents not to be made public.

32. All books, papers and other documents or things produced before the Board, whether voluntarily or in pursuance to summons, may be inspected by the Board, and also by such parties as the Board



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allows; but the information obtained therefrom shall not, except in so far as the Board deems it expedient, be made public, and such parts of the books, papers or other documents as in the opinion of the Board do not relate to the matter at issue may be sealed up.

33. Any party to the proceedings shall be competent and may be compelled to give evidence as a witness. Parties may be compelled to be witnesses.

34. Every person who is summoned and duly attends as a witness shall be entitled to an allowance for expenses according to the scale for the time being in force with respect to witnesses in civil suits in the superior courts in the province where the inquiry is being conducted. Allowance to witnesses.

35. Where a reference has been made to the Board of a dispute between a railway company and its employees, any witness summoned by the Board in connection with the dispute shall be entitled to free transportation over any railway en route when proceeding to the place of meeting of the Board and thereafter returning to his home, and the Board shall furnish to such witness a proper certificate evidencing his right to such free transportation. Witnesses in railway disputes to be entitled to free transportation.

36. If any person who has been duly served with such summons and to whom at the same time payment or tender has been made of his reasonable travelling expenses according to the aforesaid scale, fails to duly attend or to duly produce any book, paper or other document or thing as required by his summons, he shall be guilty of an offence and liable to a penalty not exceeding one hundred dollars, unless he shows that there was good and sufficient cause for such failure. Penalty for failing to obey summons.

37. If, in any proceedings before the Board, any person wilfully insults any member of the Board or wilfully interrupts the proceedings, or without good cause refuses to give evidence, or is guilty in any other manner of any wilful contempt in the face of the Board, any officer of the Board or any constable may take the person offending into custody and remove him from the precincts of the Board, to be detained in custody until the rising of the Board, and the person so offending shall be liable to a penalty not exceeding one hundred dollars. Contempt of the Board.

38. The Board, or any member thereof, and, on being authorized in writing by the Board, any other person, may, without any other warrant than this Act, at any time, enter any building, mine, mine workings, ship, vessel, factory, workshop, place or premises of any kind, wherein, or in respect of which, any industry is carried on or any work is being or has been done or commenced, or any matter or View by direction of Board.



Power to  
interrogate,  
examination  
of factories,  
&c.

inspect on  
of work.

thing is taking place or has taken place, which has been made the subject of a reference to the Board, and inspect and view any work, material, machinery, appliance or article therein, and interrogate any persons in or upon such building, mine, mine workings, ship, vessel, factory, workshop, place or premises as aforesaid, in respect of or in relation to any matter or thing hereinbefore mentioned, and any person who hinders or obstructs the Board or any such person authorized as aforesaid, in the exercise of any power conferred by this section, shall be guilty of an offence and be liable to a penalty not exceeding one hundred dollars.

How parties  
may be  
represented  
before Board.

39. Any party to a reference may be represented before the Board by three or less than three persons designated for the purpose, or by counsel or solicitor where allowed as hereinafter provided.

Parties to be  
bound by  
acts of  
representa-  
tives.

40. Every party appearing by a representative shall be bound by the acts of such representative.

Counsel or  
solicitors  
excluded  
except by  
consent of  
parties and  
of Board.

41. No counsel or solicitor shall be entitled to appear or be heard before the Board, except with the consent of the parties to the dispute, and notwithstanding such consent the Board may decline to allow counsel or solicitors to appear.

Members of  
Board to  
be British  
subjects.

42. Persons other than British subjects shall not be allowed to act as members of a Board.

Presence of  
parties.

43. If, without good cause shown, any party to proceedings before the Board fails to attend or to be represented, the Board may proceed as if he had duly attended or had been represented.

Time and  
place of  
sittings of  
Board.

44. The sittings of the Board shall be held at such time and place as are from time to time fixed by the chairman, after consultation with the other members of the Board, and the parties shall be notified by the chairman as to the time and place at which sittings are to be held: Provided that, so far as practicable, the Board shall sit in the locality within which the subject-matter of the proceeding before it arose.

Proceedings  
to be public  
unless  
otherwise  
determined  
by Board.

45. The proceedings of the Board shall be conducted in public; provided that at any such proceedings before it, the Board, on its own motion, or on the application of any of the parties, may direct that the proceedings shall be conducted in private and that all persons other than the parties, their representatives, the officers of the Board and the witnesses under examination shall withdraw.

Majority of  
Board.

46. The decision of a majority of the members present at a sitting of the Board shall be the decision of the Board, and the findings and



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recommendations of the majority of its members shall be those of the Board.

47. The presence of the chairman and at least one other member of the Board shall be necessary to constitute a sitting of the Board. Quorum.

48. In case of the absence of any one member from a meeting of the Board the other two members shall not proceed, unless it is shown that the third member has been notified of the meeting in ample time to admit of his attendance. All members of Board to be present.

2. If any member of a Board dies, or becomes incapacitated, or refuses or neglects to act, his successor shall be appointed in the manner provided with respect to the original member of the Board.

49. The Board may at any time dismiss any matter referred to it which it thinks frivolous or trivial. Trivial matters.

50. The Board may, with the consent of the Minister, employ competent experts or assessors to examine the books or official reports of either party, and to advise it upon any technical or other matter material to the investigation, but shall not disclose such reports or the results of such inspection or examination under this section without the consent of both the parties to the dispute. Employment of experts.

*Remuneration and Expenses of Board.*

51. The members of a Board while engaged in the adjustment of a dispute shall be remunerated for their service as follows:— Allowance to members of Board.

(a) to members other than the chairman—

- (i) an allowance of five dollars a day for a time not exceeding three days during which the members may be actually engaged in selecting a third member of the Board;
- (ii) an allowance of fifteen dollars for each whole day's sittings of the Board;
- (iii) an allowance of seven dollars for each half-day's sittings of the Board;

(b) the chairman shall be allowed twenty dollars a day for each whole day's sittings of the Board, and ten dollars a day for each half-day's sittings;

(c) no allowance shall be made to any member of the Board on account of any sitting of the Board which does not extend over a half day, unless it is shown to the satisfaction of the Minister that such meeting of the Board was necessary to the performance of its duties as speedily as possible, and that the causes which prevented a half-day's sitting of the Board were beyond its control.



Acceptance  
of gratuities  
and  
perquisites  
by members  
an offence.

**52.** No member of the Board shall accept in addition to his salary as a member of the Board any perquisite or gratuity of any kind, from any corporation, association, partnership or individual in any way interested in any matter or thing before or about to be brought before the Board in accordance with the provisions of this Act. The accepting of such perquisite or gratuity by any member of the Board shall be an offence and shall render such member liable to a fine not exceeding one thousand dollars.

Actual  
necessary  
travelling  
expenses of  
members  
allowed.

**53.** Each member of the Board will be entitled to his actual necessary travelling expenses for each day that he is engaged in travelling from or to his place of residence for the purpose of attending or after having attended a meeting of the Board.

Payment of  
expenses  
of Board.

**54.** All expenses of the Board, including expenses for transportation incurred by the members thereof or by persons under its order in making investigations under this Act, salaries of employees and agents, and fees and mileage to witnesses shall be allowed and paid upon the presentation of itemized vouchers therefor, approved by the chairman of the Board, which vouchers shall be forwarded by the chairman to the Minister. The chairman shall also forward to the Minister a certified and detailed statement of the sitting of the Board, and of the members present at such sittings.

#### DUTIES OF THE REGISTRAR.

To receive  
and deal with  
applications.

**55.** It shall be the duty of the Registrar:—

(a) to receive and register, and, subject to the provisions of this Act, to deal with all applications by employers or employees for a reference of any dispute to a Board, and to at once bring to the Minister's attention every such application;

Assist in  
constituting  
Boards.

(b) to conduct such correspondence with the parties and members of Boards as may be necessary to constitute any Board as speedily as possible in accordance with the provisions of this Act;

Assist in  
giving effect  
to recommen-  
dations of  
Boards.

(c) to receive and file all reports and recommendations of Boards, and conduct such correspondence and do such things as may assist in rendering effective the recommendations of the Boards, in accordance with the provisions of this Act;

Register  
particulars of  
proceedings  
before Boards  
and safeguard  
all documents  
relating to  
proceedings.

(d) to keep a register in which shall be entered the particulars of all applications, references, reports and recommendations relating to the appointment of a Board, and its proceedings; and to safely keep all applications, statements, reports, recommendations and other documents relating to proceedings before the Board, and, when so required, transmit all or any of such to the Minister;

Supply  
information  
and necessary  
forms.

(e) to supply to any parties, on request, information as to this Act, or any regulations or proceedings thereunder, and also to furnish parties to a dispute and members of the Board with necessary



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blank forms, forms of summons or other papers or documents re-<sup>relating to</sup> quired in connection with the effective carrying out of the provisions <sup>proceedings</sup> before Board. of this Act;

(f) generally, to do all such things and take all such proceedings <sup>Generally.</sup> as may be required in the performance of his duties prescribed under this Act or any regulations thereunder.

STRIKES AND LOCKOUTS PRIOR TO AND PENDING A REFERENCE TO A  
BOARD ILLEGAL.

**56.** It shall be unlawful for any employer to declare or cause a <sup>Prohibition</sup> lockout, or for any employee to go on strike, on account of any <sup>of strikes</sup> dispute prior to or during a reference of such dispute to a Board of <sup>or lockouts</sup> Conciliation and Investigation, under the provisions of this Act, or <sup>prior to</sup> prior to or during a reference under the provisions concerning rail- <sup>or pending</sup> way disputes in the Conciliation and Labour Act: Provided that <sup>reference</sup> nothing in this Act shall prohibit the suspension or discontinuance of any industry or of the working of any persons therein for any cause not constituting a lockout or strike: Provided also that, except where the parties have entered into an agreement under section 62 of this Act, nothing in this Act shall be held to restrain any employer from declaring a lockout, or any employee from going on strike in respect of any dispute which has been duly referred to a Board and which has been dealt with under section 24 or 25 of this Act, or in respect of any dispute which has been the subject of a reference under the provisions concerning railway disputes in the Conciliation and Labour Act. <sup>to Board.</sup>

**57.** Employers and employees shall give at least thirty days' notice <sup>Relation</sup> of an intended change affecting conditions of employment with respect <sup>of parties</sup> to wages or hours; and in every case where a dispute has been referred <sup>to remain</sup> to a Board, until the dispute has been finally dealt with by the <sup>unchanged</sup> Board, neither of the parties nor the employees affected shall alter the <sup>pending</sup> conditions of employment with respect to wages or hours, or on account <sup>proceedings</sup> of the dispute do or be concerned in doing, directly or indirectly, any- <sup>before a</sup> thing in the nature of a lockout or strike, or a suspension or discon- <sup>Board.</sup> tinuance of employment or work, but the relationship shall continue uninterrupted by the dispute, or anything arising out of the dispute; but if, in the opinion of the Board, either party uses this or any other provision of this Act for the purpose of unjustly maintaining a given condition of affairs through delay, and the Board so reports to the Minister, such party shall be guilty of an offence, and liable to the same penalties as are imposed for a violation of the next preceding section.

**58.** Any employer declaring or causing a lockout contrary to the <sup>Penalty for</sup> provisions of this Act shall be liable to a fine of not less than one hun- <sup>causing</sup> dred dollars, nor more than one thousand dollars for each day or part <sup>lockout.</sup> of a day that such lockout exists.



Penalty for  
going on  
strike.

**59.** Any employee who goes on strike contrary to the provisions of this Act shall be liable to a fine of not less than ten dollars nor more than fifty dollars, for each day or part of a day that such employee is on strike.

Penalty for  
inciting to  
lockout or  
strike.

**60.** Any person who incites, encourages or aids in any manner any employer to declare or continue a lockout, or any employee to go or continue on strike contrary to the provisions of this Act, shall be guilty of an offence and liable to a fine of not less than fifty dollars nor more than one thousand dollars.

Procedure for  
enforcing  
penalties.

**61.** The procedure for enforcing penalties imposed or authorized to be imposed by this Act shall be that prescribed by Part XV of *The Criminal Code* relating to summary convictions.

#### SPECIAL PROVISIONS.

Recommendation of  
a Board  
binding in  
certain cases.

**62.** Either party to a dispute which may be referred under this Act to a Board may agree in writing, at any time before or after the Board has decided to refer such dispute, the lockout or strike, if in existence, of the Board in the same manner as parties are bound upon an award made pursuant to a reference to arbitration on the order of a court of record; every agreement so to be bound made by one party shall be forwarded to the Registrar who shall communicate it to the other party, and if the other party agrees in like manner to be bound by the recommendation of the Board, then the recommendation shall be made a rule of the said court on the application of either party and shall be enforceable in like manner.

Application  
of provisions  
of this Act  
to any  
dispute on  
joint  
application  
of parties.

**63.** In the event of a dispute arising in any industry or trade other than such as may be included under the provisions of this Act, and such dispute threatens to result in a lockout or strike, or has actually resulted in a lockout or strike, either of the parties may agree in writing to allow such dispute to be referred to a Board of Conciliation and Investigation, to be constituted under the provisions of this Act.

2. Every agreement to allow such reference shall be forwarded to the Registrar, who shall communicate it to the other party, and if such other party agrees in like manner to allow the dispute to be referred to a Board, the dispute may be so referred as if the industry or trade and the parties were included within the provisions of this Act.

3. From the time that the parties have been notified in writing by the Registrar that in consequence of their mutual agreement to refer the dispute to a Board under the provisions of this Act, the Minister has decided to refer such dispute, the lockout or strike, if in existence, shall forthwith cease, and the provisions of this Act shall bind the parties.



## MISCELLANEOUS.

**64.** No court of the Dominion of Canada, or of any province or territory thereof, shall have power or jurisdiction to recognize or enforce, or to receive any report of a Board, or any testimony or proceedings before a Board, as against any person or for any purpose, except in the case of the prosecution of such person for perjury.

Courts not to recognize reports of or testimony before a Board, except in prosecutions for perjury.

**65.** No proceeding under this Act shall be deemed invalid by reason of any defect of form or any technical irregularity.

Technicality not to invalidate proceedings.

**66.** The Minister shall determine the allowance or amounts to be paid to all persons other than the members of a Board, employed by the Government or any Board, including the Registrar, secretaries, clerks, experts, stenographers or other persons performing any services under the provisions of this Act.

Payment of services under Act.

**67.** In case of prosecutions under this Act, whether a conviction is or is not obtained, it shall be the duty of the clerk of the court before which any such prosecution takes place to briefly report the particulars of such prosecution to the Registrar within thirty days after it has been determined, and such clerk shall be entitled to a prescribed fee in payment of his services.

Prosecutions under Act to be reported to Registrar.

**68.** The Governor in Council may make regulations as to the time within which anything hereby authorized shall be done, and also as to any other matter or thing which appears to him necessary or advisable to the effectual working of the several provisions of this Act. All such regulations shall go into force on the day of the publication thereof in *The Canada Gazette*, and they shall be laid before Parliament within fifteen days after such publication, or, if Parliament is not then in session, within fifteen days after the opening of the next session thereof.

Minister may make, alter and amend regulations.

**69.** All charges and expenses incurred by the Government in connection with the administration of this Act shall be defrayed out of such appropriations as are made by Parliament for that purpose.

Expenses.

**70.** An annual report with respect to the matters transacted by him under this Act shall be made by the Minister to the Governor General, and shall be laid before Parliament within the first fifteen days of each session thereof.

Report to Parliament.



